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REPORT.

OF THE

COMMISSIONERS TO ASCERTAIN THE BOUNDARY LINE

BETWEEN

NEW YORK AND CONNECTICUT.

Transmitted to the Legislature, January 18, 1860.

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STATE OF NEW-YORK.

No. 31.

IN SENATE, JAN. 18, 1860.

REPORT

Of the Commissioners to ascertain the Boundary Line between New York and Connecticut.

ALBANY, *January 18, 1860.*

To the HON. ROBERT CAMPBELL, *President of the Senate:*

Sir: We, the Commissioners appointed to ascertain the boundary line between the states of New York and Connecticut, herewith transmit to the Legislature a report of our proceedings, and the expenses, as near as we can ascertain the same, incident thereto, so far as we have been able to proceed with the duties of said Commission.

Respectfully yours, &c.,

ISAAC PLATT,
JACOB VROMAN,
LEANDER D. BROWN.

The first regular meeting of the Commissioners of the two states, was held at Port Chester, in the county of Westchester, on the 13th of September, 1859, at which meeting a joint Commission was organized by the election of Isaac Platt, of the New York Commission, as chairman, and J. R. Hawley of the Connecticut Commission, as secretary.

After this organization of the joint Commission, the first subject discussed was the manner in which we should proceed to the labor before us. Pending this discussion, Mr. Brown, of the New-York Commission, presented a resolution, of which the following is a copy, to wit:

“Resolved, That we will proceed immediately to trace and define the boundary line between the respective states, as fixed by the Commissioners on the part of both in 1731, in compliance with an agreement previously made in 1725, commencing at the mouth of Byram river, and following the line of monuments and marks originally placed to mark said boundary, to the monument in the south line of Massachusetts, at the northwest corner of Connecticut and northeast corner of the oblong.”

This was rejected by the Connecticut Commissioners, on the ground that they believed that such a line could not be traced with any certainty. That the monuments and marks were destroyed, especially above the Ridgefield Angle, where the principally disputed line commenced, and therefore the proper course would be to run a straight line from that point to the monument in the Massachusetts line. In reply to this, we suggested that where monuments could not be found, fences would be, that had been placed on the division line of farms, as the states were originally divided; also that monument points, if the monuments themselves had been destroyed, could be found in many instances from the description of the location for the same, given in the survey of 1731, and where they could not be found in that manner, tradition would, without doubt, fix their original locality. These suggestions, however, did not seem to remove the objections of the Connecticut Commissioners.

To meet this difficulty and disagreement, which seemed thus at the outset to present a formidable obstacle to our further proceedings, it was then urged and insisted, on our part, that the proper course would be to proceed immediately to trace or search out the line from the mouth of Byram river to the monument in the Massachusetts line, as it was fixed by the survey of 1731, in compliance with the compact of 1725, by a careful examination on the part of the entire Commission, competent engineers being employed on both sides to make the requisite notes and observations at the points of most interest. To this, after some hesitation the Connecticut Commissioners gave their assent, but added, at the same time, that they had no proposition to offer on their part, and could not proceed until they had returned home for further instructions. On their motion, the board then adjourned to meet again at the same place on the 20th of September, then instant.

At the time and place above specified, in pursuance of the adjournment, the joint board again met, accompanied with an engineer from each state, having the necessary instruments for taking

such observations as the service might require, and proceeded on that day to prospect along the line, and take such observations and measurements and make such notes as were deemed necessary over that portion of the line from the mouth of Byram river to the great stone at the Wading place.

When we had proceeded thus far the Connecticut Commissioners suggested that probably there would be no dispute about that portion of the line between the Wading place and the Ridgefield Angle monument, and proposed that we proceed to that place, and first examine the line from the said Ridgefield Angle monument to the Massachusetts line.

Accordingly we consented to the proposition, and on the following day repaired to the monument which tradition says is the Ridgefield Angle monument, being the commencement of the direct line running from that point to the line of Massachusetts, originally agreed upon as the east line of that portion of the equivalent tract lying north of the point opposite Cortlandt's Point, mentioned in the survey of 1731.

This monument is obscurely described in the original survey, and we found it as poorly marked as any other, being nothing but a small heap of stones of very modern appearance, in which is a stake, evidently very recently placed there; but this appeared by traditionary evidence to be a well established point. We therefore waived all dispute respecting this point for the present, especially as the Connecticut Commissioners were satisfied with it, in order that we might apply the same rule to the ascertaining of other monuments and other portions of the line, resting upon like evidence as to their identity.

From this point, following along the dividing line of farms, as designated by fences which the owners on both sides have always recognized as the line between the states, we found the monument described in the original survey as the two mile monument. It answers well to the original description, but it was found to be five chains and fifty-eight links east of a straight line running from the Ridgefield Angle monument above to the monument in the Massachusetts line, as per the survey of Mr. Wentz in 1856.

Again, following the dividing line of farms, we found the fourth mile monument at Mopo Brook, in all respects answering to the original description. It is placed in a low piece of ground, that has never been ploughed, and twenty and one-half rods east of said brook. The brook at that point running along the east side of a high ridge of land, where evidently its bed could not have

been materially changed in centuries. It is seven chains and twenty-seven links east of a straight line, and we have no doubt of its identity.

The six mile monument could not be found, but the boundary line to the point described for its location in the old survey, as designated by the division line fences of farms, acquiesced in by the occupants on each side from time immemorial, and passing that point to the eight mile monument was pointed out to us, and without doubt these fences, composed of stone walls of ancient appearance, are on the line established in 1731. This point was found to be ten chains and twenty-six links east of a straight line.

The eight mile monument was found and readily distinguished from the description given in the old survey. There was no question raised as to its identity.

The ten mile monument was not found, but evidence of the position it should occupy exists, and the line can be traced by the division line fences of farms, bounded on each side by the State line, (the same as from the four to the eight mile monument) from the eight mile monument to the twelve mile monument.

The twelve mile monument was found designated by a stone set up in a wall at the point where it was originally placed, the wall being built over the original monument, and the stone in the wall placed over that point.

The fourteen, sixteen, eighteen and twenty mile monuments were all found, and readily identified, fully answering their description in the original survey. No question was, nor could any, be raised as to their identity, and the division line fences of farms as usual run over these several points.

The twenty-two, twenty-four and twenty-six mile monuments could not be found. They are very indefinitely described in the old survey, but, from the twenty mile monument to the twenty-eight mile monument, the line is designated by the division line fences as before, and we readily ascertained the point in the line of said fence, where the twenty-six mile monument was located, by measurement, on a perpendicular from the east bank of Ten Mile river.

We found the twenty-eight mile monument. Its locality as per the description given in the old survey and its ancient appearance, independent of conclusive traditionary evidence, rendered its identity certain.

The thirty, thirty-three and thirty-five mile monuments were each found, fully answering in appearances and locality to their

description as given in the old survey. The division line fences of farms, also run over all these points.

The thirty-seven and forty mile monuments were not found. The point designated in the old survey, however, could be readily ascertained by a measurement easterly from the Ten Mile river, and also tradition points out the spot it once occupied. We took observations and measurements and found the point in the line designated by fences on the recognized State line.

The forty-two mile monument point, or locality, we found to be more easily established by calculation and measurement than any other on the whole line, owing to the peculiar locality in which it was placed, and although the monument itself does not exist, by making a measurement of the distance from Ten Mile river, easterly from its bank where it runs southerly, to a point on the high bank of the same where it runs easterly, the exact spot the monument once occupied was readily found.

The forty-four mile monument was found, and, by measurement on a perpendicular from the shore of Indian pond to the same, we found the distance to correspond so nearly with that specified in the old description, we were satisfied with its identity.

The forty-seven mile monument could not be found. Tradition, however, marks the spot in a stone wall on the division line of farms, and the recognized State line that it once occupied, and from the facts we could obtain by evidence traced directly back to the period of the survey, together with its locality as compared with the old description, we could have no doubt of its being correctly marked. This point is thirty-six rods east of a straight line.

The monument in the Massachusetts line was found in a hollow between two mountains, but not fully answering the description. We think, however, that it is the one designated in the old survey.

We might add that the forty-four mile monument is the established corner of the towns of Salisbury and Sharon; the thirty-five mile monument as the corner of the towns of Sharon and Kent; and the twenty-eight mile monument as the corner of the Housatonic Indian reservation, all in the State of Connecticut.

This labor of exploring the line was completed on the 4th of October, and thus it was found that the line could be traced and defined with such ease and certainty that all grounds for doubt as to its locality were removed. We proposed further to test the location of the monument in the Massachusetts line, by measure-

ment to it from the northwest corner of the oblong, but as the Connecticut Commissioners objected to this on account of the labor, the difficulty of measuring over the Taghkanic mountains, and the time it would consume, we waived that point for the time, feeling that whether such monument was at the right place or not, its position could not now be changed.

The cause of the above monuments not being in a direct or straight line, it can readily be perceived from a perusal of the agreements of 1725 and basis of the survey, taken together with a view of the country through which the line passes, is because of the inequalities of the surface over which the perpendiculars were measured from the west line of the oblong, the locality of some of said perpendiculars running over high and almost inaccessible mountains, and others over a plain level surface. And also, probably, they do not in all cases describe a straight line at right angles with said west line of the oblong, for the reason that a compass was the only instrument used in the survey, and our experience demonstrates that it is difficult, if not impossible, to run a straight line with that instrument in their localities, in consequence of the mineral deposits, principally of iron, extending through that whole region of country.

The labor of exploring the line being completed thus far, and no question having been raised by the Connecticut Commissioners as to the correctness of the evidence we had obtained with reference to the monuments, and the points designating their locality, we then hoped to immediately enter upon the duties of a survey.

For the purpose of agreeing upon a basis for such survey, and the Commissioners of both States deeming it inexpedient to commence the same unless an agreement establishing its basis over that portion of the line thus explored and examined was first agreed upon, the joint Commission held a meeting at Lakeville, in the State of Connecticut, on the fifth of October, then inst., at which meeting we immediately proposed that a survey of the line as ascertained should be commenced as soon as the necessary help could be obtained for such purpose. The Connecticut Commissioners, after consulting together, announced that they had no proposition to offer on their part. Mr. Vroman of the New York Commission, then presented the following resolution, to wit:

Resolved, By the joint Commission, that we will survey the boundary line between the States of New York and Connecticut, by commencing at the monument in the Massachusetts line, and run thence to the forty-seven mile monument point, as pointed

out by Mr. Wm. Kelsey, from thence to the forty-four mile monument at Indian Pond, from thence to the forty-two mile monument on the north side of Ten Mile river, from thence to the forty mile monument point in the traditionary line near the house of George Wheeler, from thence to a point in the traditionary line designated for the thirty-seven mile monument; from thence to the thirty-five mile monument; thence to the thirty-three mile monument; thence to the thirty mile monument; thence to the twenty-eight mile monument; thence to a point in the traditionary line where the measurement was at right angles from Ten Mile river, on the perpendicular line designated as the place for the twenty-six mile monument; from thence to a point in the traditionary line designated as the place for the twenty-four mile monument; from thence to a point in the traditionary line designated as the place for the twenty-two mile monument; from thence to the twenty mile monument; from thence to the eighteen mile monument; from thence to the sixteen mile monument on Cranbury mountain; from thence to the fourteen mile monument, as pointed out by the inhabitants living in the vicinity, on each side of the line; from thence to the twelve mile monument; from thence to a point in the traditionary line designated as the locality for the ten mile monument; from thence to the eight mile monument; from thence to a point in the traditionary line at the place designated as the locality for the six mile monument; from thence to the four mile monument at Mopo Brook; from thence to the two mile monument, and from thence to the Ridgfield Angle monument.

To this the Connecticut Commissioners immediately objected, yet raising no question as to the evidences of the line we had traced, and insisted that we should run a straight line from the monument in Massachusetts line to the Ridgfield Angle monument, disregarding all the intermediate monuments.

Supposing that the above resolution might be too rigid in its phraseology, and that, perhaps, a modification might render the proposition more acceptable, Mr. Platt, of the New York Commission, offered the following as a substitute:

The member of the joint Commission on the part of the States of New York and Connecticut, having examined for the purpose of ascertaining the position of the boundary line between their respective States, as located by the Commissioners of 1731, hereby agree to employ engineers for running said line in the manner following:

"Commencing at the monument in the south line of Massachusetts, at the northwest corner of Connecticut, as heretofore fixed, and running thence southerly, following the line of monuments originally placed to mark and designate the actual line between the States, where such monuments have been found, and where they are wanting the fences at the points they formerly occupied, as correctly as can be ascertained, to the Ridgefield angle, and from that point following the settled line in like manner to the mouth of Byram river."

This was also immediately rejected by the Connecticut Commissioners, on the ground, as they declared, that it was in effect the same thing as the resolution of Mr. Vroman, although in less objectionable terms.

As a further effort to remove objections and secure an agreement, Mr. Platt offered the following in addition to the above, to wit:

"That in case said survey of the original or traditionary line shall not prove mutually satisfactory, such further steps shall then be taken as shall be considered requisite for the purpose of ascertaining more definitely the true boundary between the States, with a view to its final and correct settlement."

But this effort at conciliation met with no better reception than the former proposition, and a straight line was again insisted upon by the Connecticut Commissioners.

A long discussion was had; the Connecticut Commissioners offering no proposition on their part, and finally after it conclusively appeared that no terms could be fixed upon at that time, at the request of the Connecticut Commissioners, we consented to an adjournment on their motion, to meet again at North Salem, on the twelfth day of October then instant.

When we reached the above place, pursuant to adjournment, the Connecticut Commissioners did not appear, and we heard nothing from them until a late hour in the evening, when we learned they had reached Ridgefield, Connecticut, at 12 M. of that day, and there stopped, although but four miles distant. They sent us notice, however, that they would meet us at the Ridgefield angle on the following morning.

We met them accordingly, at the hour appointed, they being fully prepared with transit, chain, flag, &c., as if ready to proceed immediately to the business of the survey.

After testing by mutual agreement the position of a traditionary point designated as the original Ridgefield angle, fixed at twenty miles from Courtlandt's point, on the Hudson river,

according to the old survey of 1731, we next proceeded to measure across the Oblong to the present angle monument, and found the distance to agree with the original survey so nearly that the difference was only nineteen links.

The labors of this examination being completed, another effort was made on the evening of the same day to agree on a basis of a survey of the entire line.

As usual the first call was upon us for propositions, when Mr. Brown, of the New York Commission, presented the following, to wit:

“Commence at the monument in the Massachusetts line and run from thence to the forty-four mile monument; thence to the point designated as the location of a monument on the high bank north of Ten Mile river; thence to the end of the line fence in the traditionary line at the north end of the village of Hitchcock’s Corners; thence through the centre of the main street to a point in said centre in front of the store at the south end of said village; thence to a point in the traditionary line on the southerly side of the highway leading southeasterly from said village; thence to the thirty-five mile monument: thence to the thirty mile monument; thence to the twenty-eight mile monument; thence to the twenty mile monument; thence to the eighteen mile monument; thence to the sixteen mile monument; thence to the fourteen mile monument; thence to the eight mile monument; thence to the four mile monument; thence to the Ridgefield angle monument, running straight lines from point to point.”

The object of this proposition on our part was to offer as much of a compromise as the circumstances of the case would permit, acting within the scope of our powers, by omitting all points in the line respecting which there could be any doubts, and making it as straight as possible.

The object of the deviation at Hitchcock’s Corners was to leave the main street, heretofore regarded as the dividing line, a highway or thoroughfare for the use of the people of each state, to promote general convenience. But this was rejected as promptly as the propositions that had preceded it; when Mr. Platt, of New York Commission, renewed his proposition made at Lakeville, slightly modified, and in the following form, to wit:

“The members of the joint commission on the part of the states of New York and Connecticut, having examined for the purpose of ascertaining the true position of the boundary line between the respective states, and mutually agreeing that it is their duty

to define and fix said line in conformity with the original agreement of the contracting parties, hereby consent to employ engineers to run said line in the manner following, to wit :

Commencing at the monument in the south line of Massachusetts and at the northeast corner of Connecticut, and running thence southerly, following the actual dividing line between the respective states as heretofore fixed and assented to by the parties interested on both sides, to the Ridgefield angle, and thence in a line designated in like manner to the mouth of Byram river.

In case such survey and the facts and results ascertained in making it, shall not prove mutually satisfactory, then such further steps shall be taken as shall be required by either party for the further ascertaining, locating and defining said line in conformity with the original intention of the States concerned."

It will be perceived that this was going as far as concession could be carried, but notwithstanding this, with the concluding stipulation that if the survey and its results were not satisfactory we would take such further steps as might be required to render it so, this fair and conciliatory proposition was immediately rejected by the Connecticut Commissioners, and followed by a renewal, on their part, of the proposition to run a straight or new line, and that only, from the monument in Massachusetts line to the Ridgefield angle, disregarding all intermediate monuments and points.

Here for the first time, as an argument in favor of a straight line and no other, the Connecticut Commissioners set up the plea that, New York had received some three thousand acres too much by the survey and settlement of 1731.

To this we replied, that, whether the oblong originally set off by Connecticut contained too much or too little was a question that could not be entertained at this day, as the whole had been settled by the respective states when colonies, and the conveyance formally made at the date above mentioned, and confirmed by a royal ordinance, as the papers before us would show that the indenture then made, expressly stipulated, on the part of the Connecticut Commissioners that, the eastern boundary of the oblong or equivalent lands, should be fixed, to use their own language, *as the said lines run through the several monuments erected*, over the entire line ; and that further, in the same indenture, or conveyance, it was also stipulated on the part of the commissioners of both sides, to quote the words of the indenture, that the boundary should be defined and fixed "*as the lines through the several*

monuments above mentioned, to have been erected by the said Commissioners on the east side of the said additional lands, to be, and remain from henceforth the lines of partition and division between the province of New York and the colony of Connecticut, forever." That the effort to change at this day a conveyance or line that had been thus established, and confirmed by general assent, for one hundred and twenty-eight years; would not be sanctioned by any court; also that the powers of the commissioners of each state were simply to *ascertain* the line. This duty had been performed, so far as the disputed portion of the line was concerned, and any proposition to establish a new line could not therefore be entertained for a moment.

The discussion of this proposition being thus terminated, the Connecticut Commissioners, after consultation among the selves, finally proposed to deviate so far from a straight line only as to run through the main street of the village of Hitchcock's Corners, leaving all west of that street in New York, as at present.

This slight movement for a concession extending over a distance of less than half a mile, we did not regard of sufficient consequence to need any discussion further than courtesy demanded.

As a final effort, or experiment, to see if the Connecticut Commissioners would accept any fair proposition we might make, Mr. Platt, on behalf of the New York Commission, presented the following resolution, we hoping that, perhaps by omitting all details of the plan and making the terms entirely general, an arrangement might be effected.

"*Resolved*, By the joint commission, that we agree to employ engineers to run and correctly define the true boundary line between our respective states under our directions. But this, like all of our other propositions, was immediately rejected by them.

Here we conceived that all our powers of conciliation were exhausted, and after all discussion on our part had ceased, the Connecticut Commissioners finally offered, as if nothing had ever been done with reference to this subject, a proposition to run the original west line of the oblong again, from the point twenty miles east of Courtlandt's point on the Hudson's river, to a point on the Massachusetts line twenty miles from said Hudson's river, and set off 61,440 acres to New York, in other words to do over again the work of 1731.

What object they had in making such an offer we could not readily understand, especially as we were not disposed to accuse them of trifling with so grave a subject.

This last proposition of the Connecticut Commissioners was rejected by us on the same grounds before specified, to the other propositions offered by them, and the joint Commission here adjourned to meet again at such time as should thereafter be fixed upon by the chairmen of the respective Commissions.

After such adjournment, we, the New York Commissioners, repaired on the following day to Boston Corners, for the purpose of testing the position of the monument in the Massachusetts line at the northeast corner of the Oblong, and after the most severe labor in crossing the Taghkanic mountains, the most careful observations had been taken by our engineer, Mr. Dewey, and the requisite measurements made, both on the mountains and at the northwest corner of the Oblong, the distance was found to be nineteen rods short of that required, or that the monument should be at least nineteen rods east of its present locality. The difference in the distance as calculated by our engineer, and that made by Mr. Hogeboom in the survey of Boston Corners in 1853, when the same line was measured by both triangulation and chaining, was found to be but one rod and three links. It will thus be seen that to consent to run a straight line from such a point south to the Ridgefield angle monument, would be to wholly disregard the rights and interests of our state.

Our joint labors had here apparently closed, but after a correspondence with the chairman of the Connecticut Commission, another meeting of the joint Commission was finally appointed and had at Pittsfield, Massachusetts, on the 25th day of October. At such meeting, after an informal discussion of some length, Mr. Brown, of the New York Commission, renewed on our part the proposition made by him at North Salem, on the 13th of October, a copy of which is heretofore herein given, adding thereto the words:

“And from the Ridgefield angle monument along the traditional line to the mouth of Byram river.”

The Connecticut Commissioners again rejected this proposition, and offered in writing upon their part, the following:

Resolved. That we will first test the breadth of the Oblong at the angle bounds at the Massachusetts line, at the Ridgefield angle and at the Wilton angle. If it shall be found that the present recognized bounds at said angles do not give to New York the area called for by the agreement of 1725, to be measured with the allowance provided for in such agreement of twenty-five rods per mile, then we agree that either of said angle bounds may be

carried so far east as to make it sure to conform to said agreement. Then said angle bounds shall be connected in straight lines for the boundary line between the states, with the following exception:

The village of Hitchcock's Corners having grown up under the impression that the true boundary line ran through its principal street, we agree at this point to vary said straight line by beginning at the north end of the said principal street, and in the centre of the same, and run a line southerly through the centre of the said street, and so on in a direct course until it shall intersect the said straight line, and also running northerly from the said starting point, and at the same angle until it shall intersect the said straight line in the same manner above as below the said angle. It being understood and agreed that said straight line shall be so run as to give to New York an area besides that given by the said departure at Hitchcock's Corners, of full 61,440 acres, as called for by the agreement of 1725 and survey of 1731, in furtherance thereof and measured according to the said agreement of 1725.

That as to the remainder of the boundary, straight lines shall be run between the present recognized angle bounds until arriving at the centre of Byram river, in the direction of the great stone at the old Wading Place, and thence the boundary line shall proceed in the centre of said river to the Sound. And when so run we will recommend the above lines to our respective States to be established by them as the boundary between them, and in connection therewith, will also recommend to our respective Legislatures to pass such special acts as shall guaranty to present owners all real estate, rights and titles that may be affected thereby, to the full extent and enjoyment in which they are now legally held.

The New York Commissioners rejected this proposition on grounds stated in writing as follows:

First, It proposes to establish an entire new line instead of ascertaining *the* line between the States.

Second, The proposition is not fair on its face, in not offering to reduce the area of the lands received by Connecticut of New York on Long Island Sound, to the number of acres offered New York in the proposition.

Third, It would exceed the powers of the Commissioners and of the States to establish such a new line.

It is perhaps proper to state that in discussing these proposi-

tions we met the novel arguments of the Connecticut Commissioners in favor of theirs, by observing that if any of the original surveys were to be revised at this day, and former errors corrected, it would of necessity be the duty of the Commission to extend such revision to all such surveys, to that of the tract ceded by New York to Connecticut on the Sound, as well as that of Connecticut to New York in the Oblong; that if New York should give back what she had received in excess in the original cession, Connecticut should also in like manner give back the excess she had received from New York, and a new line be run and established south of the Ridgefield Angle as well as north of it; claiming what plainly and conclusively appears by the surveys of 1684, 1725 and 1731, and the royal ordinances confirming the same, that Connecticut had received from New York, instead of 61,440 acres, an area of about 73,000 acres, thus making an excess in favor of Connecticut of about 5,000 acres, if such proposition should be entertained.

Our arguments did not appear to have been anticipated by the Connecticut Commissioners, and placed them in an embarrassing position, but notwithstanding these conclusive objections to their proposition, it was still insisted by them that the old surveyors intended to describe a straight line between the angle monuments, and had made a mistake, which should be corrected, and they totally refused to modify their proposition or accede to any other.

Finally, after having spent the entire afternoon and evening until a very late hour, in discussion, the Commission again adjourned without having reached any conclusion, and have not had any subsequent meeting, although some correspondence has been since had, which was opened by the Connecticut Commission, but no new proposition has been made.

We would here observe that all our intercourse with the Connecticut Commissioners has been of the most friendly nature, without the exhibition of any ill feeling on the part of either Commission towards the other, or any violation of the strictest courtesy.

The objections to running a straight or new line to divide the States north of the Ridgefield angle, and the principal reasons why New York cannot consent to adopt the same, may be briefly summed up thus:

First. An indenture was executed by the Commissioners on the part of both States in 1731, (then the colony of Connecticut and province of New York,) in which the Connecticut Commissioners

on their part formally transferred to New York, in conformity with a previous agreement made in 1683, all the lands in the Oblong, and all agreed upon the east line of said Oblong by them defined and marked, as the boundary between the respective States, and this line was defined as a line running *through the several monuments* set up by said Commissioners, and acquiesced in by the States, and subsequently sanctioned and confirmed by a royal ordinance of King George the Second, thus giving to the transfer all the forms of law as well as of contract.

Second. The monument in the Massachusetts line, occupying a position too far west to give the proper width at the north end of the Oblong, is not a proper starting point for a line further than to the first monument point south of it. The straight line run from it in 1856 by Mr. Wentz, as well as our observations made, showing that it would cut off for the entire distance of over fifty-three miles, an average width from this State of twenty-eight rods, or about two thousand eight hundred acres.

Third. The change would cause great and needless inconvenience to the people, changing many residences from this State to Connecticut, subjecting them to taxation in both States, by placing farms bounded on the present State line partly in each, requiring double conveyances in case of sales, and like additional labor, and the expense incident thereto, in the settlement of estates.

Fourth. The line having been sanctioned on both sides for over one hundred and twenty-eight years, has become fixed and permanent, the people on both sides along the line being satisfied, and alike opposed to any change, and although not perfectly straight, is so nearly so that no public interest in either State would be promoted by changing it at this day, if the same were practicable.

Fifth. The Commissioners have no power whatever to make a straight or new line, having been appointed only for the purpose of ascertaining and marking the position of the old line, as per the proceedings of the Legislatures of the respective States defining their powers and duties.

Sixth. Either of the new lines proposed would be unjust to New York, in taking from her and giving to Connecticut territory beyond the ancient boundary line, easily traced and ascertained, as before stated, while there is included in the equivalent tract, by the present boundary, at least three thousand acres less than Connecticut received from New York. The original intention of

the States being that the number of acres ceded to each should be equal,

Seventh. It would exceed the powers of the States to establish the straight or new line proposed, for the reason that it would be ceding territory by our State to another by the action of the States themselves.

On examining into the history of this subject, we find that it has commanded more or less attention from the year 1664 to the present time. An effort was first made at the above mentioned date, between commissioners on the part of the Duke of York and delegates from the Colony of Connecticut, to settle it, and an arrangement effected, but it was soon found that this, being very erroneous in its details and provisions, was not sufficient, and as settlements by people from Connecticut progressed rapidly along the Sound, and they wished to remain under the government of that Colony, conflicting questions of jurisdiction constantly arose, and the agreement of 1664 was not carried fully into effect.

To settle these controversies, another and new agreement was made in 1683, in which it was stipulated that a territory or district on the Sound, the bounds being described in such agreement, and to contain 61,440 acres, should be permanently set off to Connecticut from New York, on condition that she in turn should set off and convey to New York a tract of like extent, to extend in equal width from the northeast corner of the tract thus set off, to the south line of Massachusetts.

This agreement of 1683 was sanctioned by Royal ordinance of William the Third, and carried into effect in 1684, so far that the tract on the Sound was surveyed, the lines marked, and Connecticut received her share of the benefits which she has held undisturbed until this day.

The next question was, how was New York to obtain her equivalent to which she was entitled in the exchange, and here, in such an apparently simple transaction, the contract on her part being already fulfilled, the negotiations were prolonged over the extraordinary period, under various pretexts on the part of Connecticut in all cases, of forty-seven years, before the transfer of the Oblong, during that whole time due New York, was finally made.

A reference to a few facts here will be sufficient.

Instead of complying promptly with her agreement, or taking any steps for that purpose, Connecticut, in 1697, encouraged the towns of Rye and Bedford, in Westchester county, to revolt against New York, and the same Governor who had signed the contract

of 1683, demanded those towns for Connecticut, in violation of the contract he had himself sanctioned fourteen years previously. No new steps were taken for the term of twenty years.

In 1717 the government of New York made another attempt at an arrangement, by passing an act to provide for the survey of the equivalent tract. This act was sought to be carried out in 1718 by New York, and at her solicitation commissioners were appointed on the part of Connecticut to meet her own already appointed, but their consultations were without effect, as those of Connecticut would agree to nothing practical, and were vested with no authority to bind their government.

In 1719 New York made a further attempt at an arrangement, by passing another act appointing commissioners to meet those of Connecticut and settle the line amicably, but as all previous efforts had proved useless, in this it was provided that if Connecticut would not respond to the proposition, the Commissioners of New York were authorized to proceed alone, and run and fix the line, but in strict conformity with the agreement of 1683, to guard against injustice to either party.

As a further effort to affect an agreement, and avoid future controversy, it was provided that nine months' notice should be given to Connecticut before the running of the line *ex parte* should be commenced. This act was sanctioned by royal ordinance, although the agents of Connecticut in England made every effort in their power to prevent it. This brought matters to a point where Connecticut was finally forced to act. Still she took no steps until 1723, when the subject was brought before her Legislature, and in 1724 she again appointed commissioners on her part to run and mark the line.

Thus matters progressed until, in 1725, articles of agreement were signed settling the manner of the survey, at the end of sixty-one years after the commencement of the controversy, and forty-one years after Connecticut had received her share of territory from New York, under the arrangement of 1683, but even this resulted in nothing for the time beyond the running over again of the line bounding the tract on the Sound, which Connecticut had already held for the period named, and it was not until 1731 that the matter was adjusted by a survey, and New York received her share of territory, after it had been withheld for forty eight years.

It was then that this line was run, defined and marked by the
[Senate, No. 31.]

monuments so easily and readily found by us, as we have shown, which is again the subject of controversy.

We would here remark, that in all researches and examinations, and all our intercourse with people living along said line, we have not found one individual who desires a change of the line, and no proposition made by us during the above negotiations with the Connecticut Commissioners would change a single residence or take from Connecticut one rod of her territory.

In view of these facts, taken together with the disagreement between the late Commissioners of the two States, we feel doubly anxious to end permanently this long and vexatious controversy.

Whether anything can be effected by further negotiation we fear is doubtful, as we cannot, without a total disregard of the interests of our State, consent to surrender any of her territory, originally so difficult to obtain and so long held. Still we shall not despair, as we regard our position as so just that we can hardly conceive how it can fail to be finally assented to by Connecticut.

In our view, all that remains to be done by New York is comprehended in the running and marking of the original line, and erecting suitable monuments to designate the same, to remove all chance for doubts as to its true locality for the future. For which, having made the requisite examinations and observations, we believe that the whole work can be completed at a comparatively trifling expense to the State. We deem this due to the people living along the line, upon that portion of her territory claimed by Connecticut, who manifest much anxiety to learn whether they are summarily to be ejected from the State of their adoption.

Such is a summary of the progress we have made, the facts ascertained, and the position we occupy in our efforts to settle this long disputed question. We feel that we have made every concession and exhausted every effort consistent with the duties of our office and the interests of the State we have the honor to represent.

We herewith transmit, accompanying our report, copies of the documents, fixing and establishing the boundary line that we have ascertained, and from which chiefly we have obtained a history of former controversies concerning it.

Documents.

No. 1. Agreement of 1683.

No. 2. Report of Commissioners and Surveyors of 1684.

No. 3. Preliminary agreement of 1725.

No. 4. Agreement of the Commissioners establishing the boundary in part, of 1725.

No. 5. Indenture finally fixing and establishing the line, made May 14, 1731.

No. 6. Descriptions of the monuments and places of their erection, referred to in the indenture, as describing the line of 1731.

No. 7. Extracts from an ordinance by King George the Second, confirming the survey made and line established, and including letters patent to divers individuals of the Oblong or equivalent tract, describing the grants made thereby, as bounded on the east by the line of monuments erected as above.

We also have had prepared, by Mr. Hiram S. Dewey, our engineer, a map of that portion of the State of New York lying between the Hudson river and Connecticut line, including a plot of the Oblong or equivalent tract, and a view of the localities of the several monuments marking the line between the two States, as fixed by the Commissioners and surveyors of 1731.

The expenses of ascertaining the line, taking measurements, making preliminary observations, and taking notes of the same, and testing the locality of the several monuments, and determining monument points, may be summed up as follows :

For services and expenses of our engineer, cost of maps, &c.,	\$467 09
Miscellaneous expenses for the exploring party, including pay for guides, conveyances and chainmen, &c., &c., ..	53 84
Traveling expenses and board of the Commissioners, including all the necessary individual expenses,	509 94
Services of the Commissioners at the per diem rate fixed by chapter 47 of the Laws of 1857,	1128 00
	<hr/>
	\$2158 87

All which is respectfully submitted.

ISAAC PLATT,
JACOB VROOMAN,
LEANDER D. BROWN.

No. 1.

ARTICLES OF AGREEMENT

Concluded November the twenty-eighth, One thousand six hundred Eighty-three, Between the Right Honorable Coll^o Thomas Dongan, Governor under his Royall High^s James, Duke of York, Albany, etc., of New Yorke, and its Dependensyse, and the councell, And Robert Treat, Esq., Governour of Connecticutt, Major Nathan Gold, Capt. John Allyn, Secretary, and M^r William Pitkin, in Commission with him.

It is agreed that the bounds, meares or dividend between his Roy^{all} High^{ss} Territory in America, and the Colony of Connecticutt, forever hereafter, shall begin att a certane Brook or River Called Byram Brooke or River, which River is between the Towns of Rye and Greenwich, that is to say, att the mouth of the said Brooke where it falleth into the Sound, at a Point Called Lyon's Point, which is the Eastward Point of Byram River, and from the said Point to goe as the said River Runneth to the place where the Common Road or Wading place over the said River is, and from the said Road or Wading place to goe North North west into the Country soe farr as will be Eight English miles from the aforesaid Lyon's Point, and that a Line of twelve Miles, being measured from the said Lyon's Point According to the Line or Generall Course of the Sound Eastward where the said twelve miles endeth, Another line shall be Runn from the Sound Eight miles into the Country North North West, and alsoe that a fourth line be Runn, that is to say, from the North most end of the line first menconed unto the Northmost end of the Eight mile line, being the third menconed line, which fourth line, with the first menconed line, shall be the bounds where they shall fall to runn. And that from the Eastward End of the fourth line, with the first menconed Line, (which is to be twelve miles in Length) A Line Parrallèll to Hudson's River, in every place twenty miles distant from Hudson's River, shall be the bounds there between the said Territory or Province of New York and the said Collony of Connecticut,

soe farr as Connecticutt Collony Doth Extend Northwards, that is to the South line of the Massachusetts Collony.

Only it is Provided that in Case the Line from Byram's Brook's Mouth, North North West Eight Miles, and the line that is thence to runn twelve miles to the end of the third foremenconed line of Eight Miles, Doe Diminish or take away any Land within twenty myles of Hudson's River, that then soe much as is in Land Diminished of twenty miles from Hudson's River thereby shall be added out of Connecticutt bounds unto the Line aforemenconed, and Paralell to Hudson's, and twenty miles Distant from it, the addition to be made the whole Length of the said Paralell line, and in such breadth as will make upp Quantity for Quantity what shall be diminished as aforesaid.

That what arrearages are Due from the Towne of Rye to the Collony of Connecticutt, for former yeares and the present yeares Rate, shall be paid to Connecticut.

That two Surveyors be appointed, the one from New Yorke and the other from Connecticutt, to make A Survey and Runn the before menconed Lines, Partitions, Limitts and bounds between His Roy^{ll} High^{ss} Province of New Yorke And the Collony of Connecticut, And the Surveyors Are to meete att the towne of Standford on the first Wednesday of October next Ensuing, and to be Directed by one of the Councell and two more Commissionated from each Governm^t.

That if*it shall Please the King's Majesty and his Roy^{ll} High^{ss} to Accept and Confirme these Articles, they shall be good to all Intents forever between his Roy^{ll} High^{ss} and his heires and assigns and the Corporacon of Connecticutt and their Successors, and this Agreem^t is to be in full force, Power and Virtue from the Day of the Date hereof. In Witnesse whereof the Parties Above menconed have to these Presents Interchangeably sett their hands and Seals at Forte James, in New Yorke, the twenty-eighth day of November, in the thirty-fifth yeare of his Ma^{ties} Reign, Annoq Domm., 1683.

Signed, sealed and delivered }
in the presence of }

JOHN SPRAGG, *Sec.*

MATHIAS NICHOLLS,

GEO. BREWERTON.

ROBERT TREAT, [L. s.]
NATHAN GOLD, [L. s.]
JOHN ALLYN, [L. s.]
WILLIAM PITKIN, [L. s.]

No. 2.

Report of Commissioners and Surveyors of 1684, under the foregoing agreement.

By virtue and in pursuance of a commission bearing date the Twenty eighth day of September, 1684, from the Right Honorable Coll. Thomas Dongan, Governor General of all his Royal Highnesse's territories in America, &c.

We, underwritten did, upon the first Wednesday of this instant, October, meet at Stamford Major Nathaniel Gold, Capt. Jonathan Sellick, Ensign Daniel Sheerman and Mr. John Herriman, Survey Commissionated by a General Court, held at Hartford, as by the commissions produced, bearing date May the 8th, 1684, doth more fully appear, we went to Lyon's point, on the East side of Byram river, and from the mouth of the said river where it falls into the sea, we measured up the said river and found it to be one mile and a halfe and twenty rods, bearing north halfe easterly, and so came to a great stone at the wading place, where the road cuts the said river, thence directed our course north northwest six miles and an halfe, and there marked three white oak trees as in the margin, (C. R.) then directed our course west and by north seven miles and one hundred and twenty rods, which brought us to the northermost end of a reach of Hudsons river, which bears, we judge, south and by west one quarter westerly, and north and by east one quarter easterly, which above said line falls upon the said Reach about three miles above Frederick Phillipse's upper mills, over against Tappan, and the said river bearing north as to its general course upwards, we concluded the above mentioned west and by north line to be the shortest from said three marked trees to Hudsons river, and having unanimously concluded that part of the Sound from Lyon's Point easterly to bear east north east, we did, from said trees at eight miles distance run a parallel to the Sound, viz: east north east twelve miles, and still continued said twelve mile line east north east one mile and sixty-four rod, which then gave us twenty miles from Hudsons river, and is eight miles north north west from the Sound. Then finding the oblong of twelve miles east north east and eight miles north north west did diminish sixty one thousand four hundred and forty acres from the twenty miles of Hudsons river, we added to the above said twenty miles on the east north east line, three hundred and five rods more, to run at the additional breadth parallel to Hudsons

river till it met with the Massachusetts line, which we deemed one hundred miles distant from our eight mile line, which several courses, with their distances, together with three hundred and five rods added, do clearly appear in the plots by the Surveyors drawn and hereto annexed, which addition of three hundred and five rods we refer for its confirmation and ratification to the two Governments from whom we are employed, and that the above written is a true report of our proceedings.

We have, this tenth day of October, in the year above written, subscribed our names.

JOHN YOUNGS,	}	<i>Commissioners for New York.</i>
JOHN BELL,		
PHILIP WELLS,		
ROBERT VERKLAIN,		
NATHAN GOLD,	}	<i>Com'rs for Con- necticut.</i>
JONATHAN SELICK,		
DANIEL SHEERMAN,		
JOHN HERRIMAN,		

No. 3.

Preliminary Agreement of 1725.

Articles of agreement made and concluded at Greenwich, in the Colony of Connecticut, on the Twenty ninth day of April, in the Eleventh Year of the reign of our Sovereign Lord George of Great Britain, France and Ireland, King, Defender of the faith, &c., in the Year of our Lord one Thousand, seven hundred and twenty five, Between Francis Harrison, Cadwallader Colden, Surveyor General of the Province of New York, and Isaac Hicks, Esq^r, authorized and appointed by his Majesty's Commission under the great seal of said Province, and dated at Fort George, in New York, the third day of this instant, in the Year above written, to run, mark out, distinguish and ascertain the line of partition between the said Province and colony of Connecticut of the one side, and Jonathan Law, Samuel Eells, Roger Wolcott, Esq^r, and John Cop and Edmond Lewis, Surveyors and Commissioners appointed and authorised by the Colony of Connecticut to meet with the Commissioners from New York, to treat with, settle, agree, run, ascertain and fix the Partition lines between the Province of New York and Colony of Connecticut on the other side: Imprimis, it is hereby stipulated, covenanted, and firmly agreed to, by and between us, the Commissioners of the Province of New York afores^d,

and the Commissioners and Surveyors of the Colony of Connecticut aforesaid, respectively appointed for running, settling and ascertaining the lines of partition and division between the said province and the said Colony, that we, the said Commissioners and survey^{rs} shall begin at Lyons point, and from thence run by the compass, a line North half a point Easterly, one mile and a half and twenty rods, and from the end of the said line we shall run a straight line to y^e rock at the road or wading place, and observe the distance from the s^d rock and the end of y^e said line.

Then shall we run from y^e s^d Rock, north north west six miles and a half, and if we shall not find y^e trees marked at y^e end thereof, which are supposed to be the same marked by the survey^{rs} in the year one thousand six hundred and eighty-four, we shall run a straight line from y^e the end y^e s^d north north west line to y^e s^d supposed trees, and if then we shall find that the distance between y^e end of y^e said north north west line and the said supposed trees, is not greater than the distance between the line from Lyons point, north half a point easterly and the aforesaid Rock, in proportion as one mile and a half and twenty rods is to six miles and a half, then we do agree that y^e s^d supposed trees are verily the trees that were marked by y^e Commissioners and surveyors in the Year one thousand six hundred and eighty four—but if we shall find that the distance between y^e end of the s^d north north west line and the supposed trees, is greater in proportion to y^e difference between y^e end of the line from Lyons point and y^e Rock, than six miles and a half is to the difference of one mile and a half and twenty rods, then we shall erect a monument at y^e end of the north west line as y^e end y^e said division line between y^e Province of New York and Colony of Connecticut, provided, nevertheless, that if either y^e Commissioners and survey^{rs} of the Province of New York, or the Commissioners and surveyors of the Colony of Connecticut, shall declare and insist that the lines run before mentioned have not to their satisfaction determined the true place of y^e end of y^e said north north west line, that then we shall run west by north to Hudsons river, and then if y^e distance of seven miles and one hundred and twenty rods agree with y^e end of y^e said north nor' west line, or with the supposed trees marked in one thousand six hundred and eighty four, we will establish either y^e s^d trees or y^e end of the north nor' west line, which so ever of them shall nearest agree with y^e same distance of seven miles and one hundred and twenty rods, that is to say, if y^e trees be nearer to y^e distance of seven miles

and one hundred and twenty rods, over or under, than y^e end of the s^d North nor' west line, then we will establish y^e s^d trees as y^e boundaries and limit between the Province of New York and the Colony of Connecticutt, and a straight line between y^e s^d trees when so confirmed and the great Rock at y^e wading place, shall be so far the line of partition between the Province of New York and y^e Colony of Connecticut. But if y^e end of the north nor' west line to be run as aforesaid, shall be nearer to y^e distance of seven miles and one hundred and twenty rods from Hudsons river, over or under, than the s^d trees, then we agree to Establish the said north nor' west line as the line of partition and division so far between the Province of New York and Colony of Connecticut, and will erect a monument at y^e place so agreed to, and after we shall have Established either y^e s^d trees, or the said north nor' west line, then a line parallel to the sound, run from s^d trees or from the northermost end of s^d north nor' west line, that is to say, that from which so ever of them shall be established as the limit and boundary as afores^d, and running east north east thirteen miles and sixty four rods, shall be so far the line of partition and division between the s^d Province of New York and the Colony of Connecticut, and we will erect a monument at the end of the said East north east line, which monument shall be deemed and esteemed to be twenty miles from Hudson's river.

In the next place, after we shall have established the end of the s^d east northeast line as twenty miles from Hudson's river, we shall go to a point of land on the east side of Hudson's river, commonly known by the name of Courtlandt's point, which is nearly opposite to stony point, or to the begining of the Higlands and from the most westerly part of y^e s^d Courtlandts point, we shall run an east line according to y^e compass twenty miles, at y^e end of which twenty miles we shall erect a monument and then we shall run a straight line from y^e monument at y^e end of the aforesaid east northeast line to the monument at y^e end of the east line from Courtlandt's point, which line shall be deemed and esteemed so far paralel to Hudson's river and everywhere twenty miles from it, then from y^e monument at the end of the east line from Courtlandt's point, we shall run a random line to y^e line of the Massachusetts Bay now established between the Colony of Connecticut & the Massachusetts Bay, which line shall be run by one course, except only where it shall meet with large ponds & large swamps & precipices & rocks which shall be very difficult to pass over, in which places it shall be allowed to go aside from the s^d

course in order to avoid the said difficulties, provided that as soon as y^e said difficulties shall be avoided, the survey^{rs} who shall run the s^d line, return to the first course & run the said line nearly according to y^e rules of art, as if they had continued in one line as they should have done if no such difficulty had interrupted them in their course.

Then we shall continue y^e line of the Massachusetts Bay to Hudson's river, and when this shall be done we will compute at what place a line running east & by south according to y^e compass from Hudson's river, and twenty miles in length shall terminate in the afores^d line of the Massachusetts Bay, & at that place we shall erect a monument, which shall be deem^d and esteem^d to be twenty miles from Hudson's river; then we shall run a straight line from the monument at the end of the east line from Courtlandt's point to the afores^d monument, on the line of the Massachusetts Bay, which straight line between the two last mentioned monuments, shall be deemed and esteem^d a line parallel to Hudson's river, and every where twenty miles from it; then we covenant and mutually agree, that sixty one thousand four hundred & forty acres of land shall be added to the Province of New York, out of y^e bounds of the Colony of Connecticut, which addition shall be made along the afores^d lines parallel to Hudson's river, that is to say along the line running from the monument at y^e end of y^e aforesaid east northeast line to y^e monument at y^e end of the said east line from Courtlandt's point, and along the line running from the said last mentioned monument to the monument in the line of the Massachusetts Bay, & shall be bounded to the eastward, & divided from the Colony of Connecticut by two lines parallel to the s^d two lines along which the s^d addition is made, & at such breadth as that sixty-one thousand four hundred & forty acres of land may be contained between y^e said parallel lines on the sides of the s^d addition, and between y^e lines of the Massachusetts Bay and y^e aforesaid east northeast line, Continued so far to the eastward as the breadth of y^e s^d addition shall extend on y^e end of the s^d addition. And whereas several poor English families have lay^d out their whole substance, and spent their youth in clearing, tilling & improving, with great hazard and hard labour, Land which it is supposed may lie near the parallel lines, at twenty miles distance from Hudson's river, & whereas if the improved lands of the s^d poor people should fall within the equivalent of sixty-one thousand four hundred and forty acres—to be added out of the bounds of Con-

necticut, the said poor families may hope for his Majesty's favor in granting to them the said improved lands in such manner as lands are usually granted within the province of New York.

It is further agreed that in measuring the lines running East north East thirteen miles and sixty-four rods from the end of y^e s^d north north west line of six miles & a half, and in measuring y^e east line of twenty miles from Courtlandt's point, we shall only allow of strict measure in the best manner the same can be actually performed upon y^e surface of the land, butt that in all other lines to be measured or to be computed, we shall allow at the rate of twelve rods to be added to every mile, & that one mile & twelve rods of actual measure shall be esteemed & computed in all other places as one mile of true measure, and so proportionably for a greater or less length, taking y^e rough and smooth lands together into y^e computation, as we shall meet with them.

It is provided, nevertheless, that in measuring the breadth of the s^d additional land, the allowance shall not be made at y^e rate of twelve rods to a mile—but that whatever allowance shall be made in measuring the lines running from Lyon's point to the rock at y^e wading place, and from the said rock to the three trees at the end of the north nor' west line, the same allowance shall be added to the breadth of the additional land join'd to y^e lines parallel to Hudson's river; that is to say, after the trees or y^e end of y^e north nor' west line shall be established by the rules already agreed to, it shall be computed how far the said trees or y^e end of the nor' nor' west line shall be distant from Lyons point on a strait line without any allowance in measure; and if the s^d distance shall be found greater than eight miles, whatever measure shall be found to be over the s^d eight miles, the s^d overplus measure shall be accounted and allowed to be added to the breadth of the additional lands, containing sixty-one thousand four hundred and forty acres, in such proportion as eight miles shall be to y^e breadth of y^e said additional lands, and when the breadth of the s^d lands to be added out of Connecticut, shall be established as above directed, we shall affix and ascertain the bounds of the same by continuing on y^e south end of the s^d lands, the east north east line, & erect a monument on y^e end thereof, when continued y^e full breadth of y^e s^d additional lands, and from the s^d monument run two lines parallel to the two lines which are parallel to Hudson's river, and thereby fix and ascertain the lines of partition and division between the Province of New York and colony of Connecticut, from the last mentioned monument to the line of the Massachusetts Bay, and

erect monuments in the s^d lines at all places which may be thought necessary. It is agreed by and between the Commission^{rs} & Survey^{rs} afores^d that to avoid confusion and disputes from the using of several different instruments, we shall agree on one Compass to be used on the work at this time, which Compass shall appear to have either no errors, or the fewest of any, and that we shall have no regard to the variations of the said compass from the true meridian, in running the lines above described, but that they shall be runn by the s^d compass without any allowance for the s^d variations.

And it is further agreed, that if at this our present meeting, we shall not be able to goe through the whole work according to the above stipulation, that we will at any time hereafter meet and proceed thereon, at such time as shall be agreed on by his Excellency the Governor of New York, or commander-in-chief for the time being, and his honor the Governor of Connecticut, for the time being.

And in testimony that we whose names are underwritten do mutually agree, and interchangeably firmly agree and consent to all the above articles, and every clause, matter and thing therein contained, we have hereunto sett our hands and seals at Greenwich, in the Colony of Connecticut, the day and year above written.

CADWALLADER COLDEN,	[L. s.]
FRA HARRISON,	[L. s.]
ISAAC HICKS,	[L. s.]
JONATHAN LAW,	[L. s.]
SAMUEL EELLS,	[L. s.]
ROGER WOLCOTT,	[L. s.]
JOHN COPP,	[L. s.]
EDMOND LEWIS,	[L. s.]

No. 4.

Agreement of the Commissioners establishing the boundary, in part, May 12, 1725.

In pursuance of our agreement, dated at Greenwich, in the Colony of Connecticut, the twenty-ninth day of April last, We, the subscribing Commissioners and Surveyors of the Province of New York & Colony of Connecticut, have surveyed from Lyon's point to the great stone at the wading place in Biram River, & find that the s^d great stone bears north twelve degrees & forty-

five min: Easterly from the said point at the distance of five hundred & fifty rods.

We have likewise surveyed from the said rock to the three white oak trees, supposed to have been marked by the Commissioners and surveyors in 1684, & from the said trees west and by north to Hudson's river, and we find that the s^d trees are two thousand two hundred and ninety-two rods from s^d Great Stone, on a line runing North twenty-three deg. and forty-five min. westerly, & that the s^d trees are exactly seven miles & one hundred & twenty rods from Hudson's river to the said west & by North line, which line came to Hudson's river opposite to Cornelius Cuyler's house in Tapan: & about one mile above Mr. Phillip's upper mills. We likewise plainly perceived on one of the s^d three white oak trees the letters C. R. & 8, which appeared to us to have been marked at some considerable distance of time, from all which, and according to the rules we had layd down to ourselves, we are fully convinc'd & satisfi'd that the s^d trees are verily the same trees which were marked by the Commissioners & Survey^{rs} in the year 1684, and therefore we have establis'd, and do hereby establish the s^d line runing at the great stone att the wadeing place on Biram north twenty-three deg^s & forty-five minutes westerly to the said three white oak trees, as the line of partition so far between the Province of New York and Colony or Corporation of Connecticut; and for perpetuating the memory of the s^d line, & distinguishing it to the inhabitants of the s^d province & the s^d Corporation, we have erect'd several monuments in the s^d line at the following places, Viz: Where the s^d line from the great stone comes into the highway or a street near John Purdy, his house, We raised a heap of stones round a cherry tree standing in the highway, & cut the letter Y on the west side of the s^d tree, and the letter C on the east side thereof.

At two miles from s^d rock, upon the east side of the said Highway, close by the fence and near William Anderson's house, we raised a heap of stones.

At three miles from the great Stone, we laid a heap of stones in the field belonging to William Fowler, on the west side of s^d highway.

At four miles we raised a heap of stones close by the fence, on the west side of s^d highway. All the houses on the west side of the s^d highway, from the s^d heap of stones, at four miles from the rock to the place below John Purdy's, where the line comes into the highway, being and remaining in the Province of New York,

and those on the east side of s^d highway, being in the Colony of Connecticut.

At five miles from sd great stone, we raised a heap of stones in John Clapp's field, which heap of stones are thirty-two rods on a west south-west line from the westmost chimney of the sd Clapp's house.

At six miles we marked a large stone in the ground with a X, and raised a heap of stones round it.

At six miles and a half we raised a heap of stones near the north side of a meadow, near John Hutchinson his house.

And at the place where the s^d three white oak trees stand, we buried some burnt wood in the ground and rais'd a heap of stones over it. We likewise cut the letter C. R. on a great stone lying in the ground there, and the letters W. B., May 5th, 1725, on the most northerly of the s^d trees, and the letters J. T. on the most easterly of the s^d trees. The tree on which the letters C. R. appear, is now dead. We further certify that the s^d three white oak trees are eight miles and two hundred rods distant from Lyon's point; and therefore we declare pursuant to our s^d agreement, that in measuring the breadth of the additional lands of sixty-one thousand four hundred and forty acres to be added out of Connecticut, along the lines parallel to Hudson's river, there shall be allow'd an additional measure at the rate of twenty-five rods to one mile, so that in measuring the breadth of the s^d lands, one mile and twenty-five rods of actuall measure on the surface of the earth in the best manner the same can be performed, shall be accounted and esteemed to be one mile and not more, and so on in proportion for a longer or shorter length.

We have likewise run a line from the s^d three white oak trees East north East thirteen miles and sixty-four rods, at the end of which we raised a heap of stones, and marked a black oak tree about half a rod to the westward of the s^d heap of stones, with the following figures & Letters, viz: 13 M 64 R, & cut a broad notch into severall trees round the s^d heap of stones, on the sides of the trees towards the s^d heap of stones. We likewise rais'd a heap of stones at the end of every mile from the s^d three white oak trees excepting the first mile, which ending in a watry swamp or pond, we rais'd a heap of stones on the west side of s^d swamp, at two hundred and eighty rods from the trees, & another heap on the East side at three hundred and sixty rods from the trees, and we marked the trees standing in said line with three notches on their west and east sides, which line running East north

East thirteen miles and sixty-four rods and mark'd and distinguish'd as aforesaid, we have and do hereby establish and fix as the line of partition so far between the province of New York & Colony of Connecticut.

And we do likewise declare that the s^d heap of stones at the end of the East north East line of thirteen miles and sixty four rods, be, and shall be, esteemed twenty miles from Hudsons river according to the survey made in 1684, and is the place from which the additionall lands of Sixty one thousand four hundred and forty acres, to be taken out of Connecticut, shall commence on the s^d East North East line to be continued so far as to make up the s^d Sixty one thousand four hundred and forty acres with the allowance of measure before mentioned.

In witness whereof, we have hereunto set our hands and seals, at Norwalk in the Colony of Connecticut, the twelveth day of May in the eleventh year of the reign of our sovereign Lord George, by the Grace of God of Great Britain, France and Ireland, King, Defender of the Faith, &c., Annoque Domini, 1725.

SAMUEL EELLS, [L. s.]

ROGER WOLCOTT, [L. s.]

JOHN COPP, [L. s.]

EDMOND LEWIS, [L. s.]

Commissioners and Surveyors of Connecticut.

FRA: HARRISON, [L. s.]

CADWALLADER COLDEN, [L. s.]

Sur^r General,

ISAAC HICKS, [L. s.]

Commissioners of the Province of New York.

No. 5.

This Indenture, made the Fourteenth day of May in the Fourth year of the Reigne of our Sovereign Lord George the Second, by the Grace of God, of Great Brittain, France and Ireland, King, Defender of the Faith, &c., in the year of our Lord One thousand seven hundred and thirty one, Between Cadwallader Colden, Esq^r, Surveyor Gene^l of the Province of New York, Gilbert Willet, Esq^r, and Vincent Mathews, Esq^r, Commissioners Authorised and appointed by his Majesty's Commission under the Great Seal of the Province of New York, or any two or more of them in Conjunction with the said Surveyor Generall, or his deputy, to run out, mark, distinguish and Ascertain the lines of Division and

Partition between the Province of New York and Colony of Connecticut, as by the said Commission, bearing date at New York the third day of September in the Fourth Year of his Majesty's Reigne, may more fully at large appear, and Mr. Jacobus Bruyn, Jun^r, Deputy Surveyor, approved of by the Governor and Council of New York, of the one part: and Samuel Eells, Roger Wolcot and Edmond Lewis, Esq., Com^{rs}, or any two of them, whereof Edmond Lewis to be one, appointed and authorised by an act of the Generall Assembly of the Colony of Connecticut, bearing date at New Haven, the eighth day of October in the Fourth year of the reign of our Sovereign Lord George the Second, to run and Ascertain the lines of Division and Partition aforesaid, in Conjunction with the Commissioners of New York, as by the said act may more fully and at Large appear, of the other part: Witnesseth, That the said Com^{rs} of the Province of New York and Colony of Connecticut, in pursuance of the agreement made in the year of our Lord One thousand seven hundred and twenty-five, and approved of by the Governor and Council of New York, and by the General Assembly of Connecticut, Have run, marked, Distinguished and Ascertained the lines of Partition and Division, which were not Distinguished by the Commissioners in the Year One thousand seven hundred and twenty-five, and remained to be Done pursuant to said agreement, in the manner and form hereafter Expressed: That is to say, the said Commissioners of New York and Connecticut went to a certaine point of land, on the east side of Hudsons River, Commonly known by the name of Courtlandts point, nearly opposite to stony point, or the beginning of the Highlands, and from the most westerly part of said point Run an East line, According to the Compass, Twenty Miles in length, streit Measure, and at the end of the said East line set up a Stake and Raised a heap of stones Round it, as a monument of the place where the said line ends.

Then the said Commissioners aforesaid Run a line from the monument erected by the Commissioners in the Year one thousand seven hundred and twenty-five, At the end of the East North East line, of thirteen miles and sixty-four rods to the monument at the end of the East line from Courtlandt's point aforesaid, which line runs nearly North twenty-four degrees and thirty Minutes West by the Compass, & marked & distinguished the same by Erecting of a stake, & Raising a heap of stones round the stake, at the end of the second, Fourth, and Sixth Miles, streit

Measure from the Monument or heap of stones at the end of the East north East line aforesaid.

Then the Commissioners aforesaid Run a random line from the Monument or heap of stones at the End of the East line from Courtlandt's point, pursuant to the said agreement, in the Year one thousand seven hundred and Twenty-five, untill it intersected the line between the Colony of the Massachusetts Bay and the Colony of Connecticut, which last line the said Commissioners Extended so far for that purpose, which random line was Run north Twelve degrees East, according to the Compass. Then the Commissioners aforesaid continued the said line of the Massachusetts Bay to Hudson's River, and likewise surveyed the Bank of Hudson's River so far upward above the place where the said Massachusetts line fell upon hudson River, as was necessary to calculate and fix the place where a line runing East & by South by the Compass, and of twenty miles in length from hudson's River, shall terminate in the said Massachusetts line. And the said Commissioners found that the said line of twenty Miles in length, with the allowance of twelve Rods added to every Mile, Did Terminate at a place which is one hundred and thirty-two Rods distant from the place where the said Random line intersected the Massathusetts line, Continued as aforesaid, (the said one hundred thirty-two Rods being Measured Easterly from the said Intersection and upon the Massathusetts line), at which place a Stake was set up & a heap of Stones raised round it, which heap of stones or Monument is twenty Miles Distant from hudson's River, according to the agreement aforesaid, in the Year one thousand seven hundred and Twenty-Five.

Then the Commissioners aforesaid Did Run a streight line from the Monument at the End of the East line from Courtlandt's point to the said Monument in the Massathusetts line continued as aforesaid, which line Runs nearly North Twelve Degrees and Thirty Minutes East by the Compass, and markd and distinguished the same by setting up a stake & Erecting a heap of stones at the second, Fourth, Sixth, Eighth, Tenth, Twelfth, Fourteenth, Sixteenth, Eighteenth, Twentieth, Twenty-Second, Twenty-Fourth, Twenty-Sixth, Twenty-Eighth, Thirtieth, Thirty-third, thirty-Fifth, thirty-Seventh, Fortyeth, Forty-Second, Forty-Fourth, Forty-Seventh, and Fiftyeth Miles, streit measure from the said heap of stones at the End of the East line from Courtlandt's point.

And the Commissioners aforesaid, of the Province of New
[Senate, No. 31.]

York & Colony of Conneticut, Doe hereby Declare that the said lines Runing North Twenty-Four Degrees & thirty Minutes West, from the Monument at the End of the East North East line to the Monument at the End of the Twenty mile line from Courtlandt's point, and Runing nearly North Twelve Degrees & Thirty Minutes East from the said line from Courtlandt's point to the stake and heap of stones in the Massathusets line, fixd, marked and Distinquished as aforesaid, & parrallel to Hudson's River & at Twenty Miles distance from the same as the lines of Partition between the said Province and said Collony, According to the agreements made in the Years one thousand Six hundred and Eighty-three, and One thousand Seven hundred & Twenty-Five Ought to be.

The Commr^s aforesaid Further Declare that the Length of the Line runing parallel to Hudson's River, from the End of the East & North East line to the End of the East line from Courtlandt's point, is Seven Miles & one-quarter of Mile, streit measure, but with the Allowance of twelve Rods to every mile, the length is Six Miles three-quarters of a Mile and Seventy-Six Rods, And that the Length of the parallel line Runing from the End of the twenty Miles from Courtlandt's point to the Massathusetts line is Fifty-two Miles, one half Mile and Sixty Rods, Striet Measure, but with the Allowance of Twelve Rods to every Mile, it is only fifty miles, three-quarters of a Mile, ten Rods & Fifteen links in length, & that the breath of the additional Lands of Sixty-one thousand Four hundred & Forty Acres, to be added out of the Colony of Conneticut to the Province of New York, with the Allowance of Twenty-Five Rods to a Mile, According to the agreement in the Year one Thousand Seven hundred and Twenty-Five, is one mile three-quarters of a mile & Twenty Rods, Striet Measure.

Then the Commissioners aforesaid proceeded to sett off the said additional Land, for which purpose They set off East nine Degrees Southerly along the Massachusetts line one Mile, three quarters of a mile & twenty one Rods & Five links, and there Erected a Stake with a heap of Stones round it as a Monument of the North East Corner of the said additional land, and set off from the Monument at the End of the Twenty miles from Courtlandt's point, north Eighty Four Degrees, East one mile, three quarters of a Mile & Fifty two Rods, & there set up a Stake & Raised a heap of stones Round it, as a monument of the place where the Lines which are parrallel to the line at Twenty Miles Distant from hudson's River, & Five hundred & Eighty Rods Distant Easterly from them, Doe intersect and Terminate in each

other; & then continued the East North East line of thirteen Miles & Sixty Four Rods from the Monument Erected in the Year one thousand Seven hundred & Twenty Five, One Mile, three quarters of a mile, & twenty one Rods Further, & there Set up a Stake & raised a heap of Stones round it as a Monument of the South East Corner of the said Additional Lands.

And the Commissioners aforesaid Further Declare that the line runing nearly North twenty Four Degrees & thirty Minutes west from the last mentioned Monument, at the end of the Line Runing Eighty Four Degrees East from the Monument at the End of the twenty Miles from Courtlandt's point, is mark'd and Distinguished & Set of in the following manner, that is to say: By runing upon perpendicular lines from the monuments at the second, Fourth & Sixth Miles in the line at twenty Miles Distance from Hudson's River, Each of the said perpendiculars being Five hundred & Eighty rods long, & Raising a heap of stones round a Stake at the end of Each of the said perpendiculars, as monuments of the East bounds of said Additional Lands; in like manner the line Runing Nearly North twelve Degrees & thirty minutes East from the Monuments at the end of the Line runing North eighty Four Degrees East as aforesaid, to the Monument at the North East Corner of the additional Lands of Sixty one thousand Four hundred & Forty Acres aforesaid, was mark'd & Distinguished by running perpendicular Lines to the line parrallel to Hudson's River, from the monument at the End of the Twenty Miles from Courtlandt's point to the Massathusets line, which perpendiculars were run off from the Monument aforesaid, at the Second, Fourth, Sixth, Eighth, Ten, Twelveth, Fourteenth, Sixteenth, Eighteenth, Twentieth, Twenty-Second, Twenty-fourth, Twenty-Sixth, Twenty-Eighth, Thirtyeth, Thirty-third, Thirty-Fifth, Thirty-Seventh, Fortyeth, Forty-second, Forty-fourth, & Forty-Seventh Miles, and set up a Stake & Erected a heap of stones about it, at the East End of Each of the said perpendiculars, as monuments of the East bounds of the said additional Lands.

The said Commissioners having Omitted to run off the Perpendicular at the Fiftieth Mile, because it would have run into Tahkaniack Mountains.

The Commissioners aforesaid Declare that the Monument at the End of the East line from Courtlandt's point, stands upon a Ridge of Land, & is one hundred & Seventy-Seven Rods from the Long Pond, measured upon a line Runing from the said Monument North twelve Degrees East, And is likewise one hundred &

Seventy Six Rods from the Brook that issues from the said Pond, being measured upon a line Runing East from the said Monum^t.

That the Monument in the Massathusetts line Continued and at twenty Miles, with the Allowance of twelve Rod to every Mile from Hudson's River, Stands on the west side of a Ridge of Land, and is Forty Rods from a branch of Roeloffe Jansen's Kill, called the Nortse Kill, measured on a Line runing Easterly from the said Monument along the Massathusetts Line. That the Monument at the North East Corner of the additionall lands in the Massathusetts line aforesaid, stands in a Valley in the Tahkanock Mountaines, being One hundred & twenty-one Rods Eastward from the top or Ridge of the most Westerly of the said Mountains, there being a great Stone, with some others Set upon it, on the Top of the said Westernmost Mountain, where the said Massathusetts line Crosses it.

That the monument where the two Eastermost parallel Lines intersect & Terminate in each other, stands on the north side of a hill, and is South Easterly from the Eastermost end of the Long Pond, and that the monument at the South East Corner of the Additional Lands, being East north East from the monument Erected in the year one thousand Seven hundred & Twenty Five, At five hundred and Eighty One Rods Distance, stands on the West side of a Stony Ridge, about six rods east from the South End of a Swamp, and is two hundred and Sixty three Rods Distant on an East North East Course from the west Branch of Norwalk river.

And the aforesaid Commissioners of the Colony of Connecticut, on behalf of the Colony & Corporation of Connecticut, have Yielded, Surrendered and Delivered up, and by These presents Doe Yield, Surrender, and Deliver up to the Commissioners of the Province of New York aforesaid, on behalf of the Province of New York, all the said additional lands (the same in the Actual Possession of the said corporation now being) Bounded Westerly by the aforesaid Lines, running north Twenty Four Degrees and thirty minutes Westerly from the monument at the End of the East north East line of the thirteen miles & sixty-four rods to the monument at the end of the line Running twenty miles from Cortlandts point, Running from the said monument at the end of the said line from Cortlandts point, north Twelve Degrees and thirty minutes east, to the Monument in the Massachusetts line at the Distance of twenty Miles, with the allowance In Measure, from Hudsons River, Bounded Northerly by the said line of the Massa-

chusetts Bay, Extended from the said Last mentioned monument, Five hundred & Eighty one Rod & Five links to the Monument in Tackanock Mountains aforesaid: Bounded Easterly by the lines which Run from the last mentioned Monument to the monument which is six hundred and Twelve Rods distance from the monument at the end of the twenty Miles from Cortlandts point on a line Running North Eighty Four Degrees East, And from the said monument, at the End of the Six hundred & Twelve Rods aforesaid, to the monument on the Stony Ridge at the end of the Extended East North East line as the said Lines run through the severall monument serected as before mentioned, And Bounded Southerly by the aforesaid East north East line of Five hundred and Eighty one Rods in length between the Monument at the end of the East north East line of thirteen miles and Sixty Four Rods & the Monument on the west side of the Stony Ridge aforesaid, Containing Sixty one thousand, four hundred and Forty Acres of Land, with allowance in measure as aforesaid, for the use of our Sovereign Lord the King, his heirs & Successors, in as full and ample a manner as the same ought to be done by the agreements and Covenants entered into between the Commissioners of the said Province and Colony, in the Years One thousand Six hundred & Eighty three & One thousand Seven hundred & twenty five, And the Commissioners aforesaid of the Province of New York and Colony of Connecticut have Established & Fixed, & by these presents Doe establish & fix the said Lines from the Monument Erected in the Year One thousand Seven hundred and twenty Five, at the End of the East north East line parallel to the sound, of thirteen Miles & Sixty Four Rods in Length, Running East and north east five hundred & Eighty one Rod to the Monument on the Stony Ridge Ridge aforesaid, & from last Mentioned Monument Running nearly north Twenty Four degrees and thirty minutes West, to the Monument aforesaid, at Six hundred & Twelve Rods distance from the Monument at the end of the twenty Mile line from Cortlandts point, & from the said Monument at six hundred and twelve rod Distance, Running north twelve degrees and thirty Minutes East, to the Monument in the Massachusetts line in Tackanock Mountains, *as the said lines Run through the severall Monuments above mentioned to have been Erected by the said Commissioners on the East side of the said Additional Lands, to be and Remain from henceforth the lines of partition & Division between the Province of New York and the Colony of Connecticut for ever.*

Which lines, together with those that were fixed and Established in the Year One thousand Seven hundred & Twenty Five, Doe every where Compleatly and Entirely Separate and Divide the said Province from the said Colony, from the Sound soe far as the line of the Massathussetts Bay aforesaid, and that the Monuments Erected & Established by the Commissioners aforesaid may be better perpetuated and had in remembrance, they have made a Description in Writing of the Severall places where they have Erected the Monuments aforesaid, bearing the same Date with these presents, and Signed with the hands of the said Commissioners. In Witness whereof the partys to these presents have hereunto put their hands and Seals at Dover, in Dutches County, in the Province of New York, the Day and Year First above written.

CADWALLADER COLDEN,	[L. s.]
GILBERT WILLET,	[L. s.]
VINCENT MATTHEWS,	[L. s.]
J. BRUYN, JUR.,	[L. s.]
SAMUEL EELLS,	[L. s.]
ROGER WOLCOT,	[L. s.]
EDMOND LEWIS,	[L. s.]

No. 6.

A Description of the Places in Which the Monuments were fixed or set up by the subscribing Commissioners of the Province of New York and Colony of Connecticut, as referred to in a certain Indenture made between both partys bearing even Date with these presents, viz :

In the line runing North 24 deg. 30 min. west from the Monument erected in the year 1725, at y^e End of the line runing East north East of thirteen miles and sixty-four rodde in Length, to the Monument Erected at the End of the twenty miles from Courtlandt's point, at the distance of two miles from the said first mentioned monument, Raised a heap of Stones for a Monument at the root of a Maple Tree mark^d with three Notches on the South east and North west sides, standing on the South west side of a run of water in a Gully called Beaver Pond Brook, and marked some trees on each side of the said Monument in a North 24 deg. 30 min. west course.

Then at the distance of four miles from the said first mentioned monument in the aforesaid lines, we put up a stake on the East

side of a hill, and heaped some stones around it for a monument, which we esteemed to be about sixty rod's distance northerly from the Cross pond, and marked some trees on each side of the said Monument in a North 24 deg. 30 min. west course.

At the distance of six miles from the s^d first mentioned monument in the afores'd line, we put up a stake and heaped some Stones round it for a monument, on the East side of a Large White oak tree standing in a valley, and marked some trees on each side of said monument in a North 24 deg. 30 min. west course.

And the monuments that were fixed or set up in the Eastern line of the Additionall lands added out of the Colony of Connecticut to the Province of New York, running parallel to the afores'd North 24 deg. 30 min. west line, and unto which Reference is made as afores'd, we did fix up corresponding to each of the afores'd Monuments fixed up in the western line as afores'd distance from the same in a North 65 deg. 30 min. East course, or at right angles to the afores'd North 24 deg. 30 min. west line One mile three quarters and twenty rods, and were fixed and set up in the places following, viz:

Corresponding to the Monuments fixed up at two miles distance, we heaped up some stones for a Monument on the West brow of a stony ridge of Land on the top of a Rock sticking out of the Ground, and marked some trees on each side of said monument, in a North 24 deg. 30 min. West Course.

Corresponding to the Monument fixed up at the distance of four miles as aforesaid, we sett up a stake, heaped some stones around it for a monument, being in a swamp, and on the North West side of a brook which runs into the pond of a saw mill, and marked some trees on each side of said Monument, in a North 24 deg. 30 min., West Course.

Corresponding to the sixth mile in the Western line as afores'd, we sett up a Stake in the middle of a bogie meadow.

In the line runing nearly north 12 deg. 30 min. East from the afores'd monument, erected at the End of twenty miles from Courtland's Point, to the Monument erected at the end of 20 miles from Hudson's River, in the Massachusetts line, at the distance of two miles from the monument at the end of twenty miles from Courtlandt's Point afores'd, we sett up a stake and heaped some stones round it on the west side of a hill, for a monument bearing from a Large pointed rock, South 27 deg., east one chain

and eighty links, and marked some trees on each side of said Monument, Nearly in a North 12 deg. 30 min. East Course.

At the distance of four miles in the said line as afors'd we set up a stake on the Southwest side of a boggy meadow, near the edge of s^d boggy meadow, and heaped some stones around it for a monument.

At the distance of six miles as afors'd, we set up a Stake and heaped some Stones round it on the top of a Ridge for a Monument, which we Esteemed to be about thirty rods East of a seeder swamp, and marked some trees on each side of said monument, in a Nearly North 12 deg. 30 min. East Course.

At the distance of eight miles as afors'd, we sett up a Stake and heaped up some stones round it for a monument, being between two rocky hills, about four rods from the easternmost of them, and mark'd some trees on each Side of Said monument, in a nearly northerly 12 deg. 30 min. East Course.

At the distance of Ten miles, we sett up a Stake & heaped up some Stones about it for a monument, being on the west side of a Ridge of Land, and 66 chains on the perpendicular west from Coroton River, & marked some trees on each side of said monument, in a nearly North 12 deg. 30 min. East Course.

At the distance of twelve miles as afors'd, we sett up a Stake & heaped up some stones round it for a monument, being at the east side of a hill near to a point of rock, & to the West of a Great Swamp & boggy meadow in s'd Swamp, in Crooton river.

At the distance of fourteen miles as afors'd, we Sett up a Stake & heaped up some Stones round it for a monument, Near on the top of a Mountain, being on the East Side of the afors'd Great Swamp, and near the Southwest End of the s'd mountain.

At the distance of Sixteen miles as aforesaid, we Sett up a Stake & heaped up some Stones round it for a monument, being on the north west side of a brushy hill, & marked some trees on each side of said monument, on a nearly North 12 deg. 30 min. East Course.

At the distance of Eighteen miles in said line as afors'd, we sett up a Stake and heapèd up some Stones round it for a monument, being on the north side of a small run of water, and in a low piece of Land, and mark'd some trees on each side of said monument in a Nearly North 12 deg. 30 min. East Course.

At the distance of twenty miles as afors'd in s'd line, we heaped up some Stones for a Monument, on the East Side of a hill at the bottom of a large Rock.

At the distance of twenty-two miles as afors'd in s'd line, we sett up a Stake & heaped up Some Stones round it for a Monument, on the west Side of a hill near to a run of water on the West side of the Said hill, about 56 rods East $12\frac{1}{2}$ South from the East side of a large pond, & mark'd Some trees on Each side of s'd monument, on a nearly north 12 deg. 30 min. East Course.

At the distance of 24 miles, as afors'd, in s'd line, we Set up a Stake & heaped up Some Stones round it, being on a rock on the West Side of a hill & on the East side of a Gully & a run of Water running Westerly into the Great Swamp, about 5 rods from s'd run, in which run are some spruce trees standing, and we marked some trees on each side of said monument, and in a Nearly North 12 deg. 30 min. East Course.

At the Distance of 26 miles as aforesaid, in said line, we Sett up a Stake & heaped Some Stones round it for a Monument, being in a Swampy piece of Ground on the North side of a small run of Water & near to a clift of Rocks, being to the East of s'd Monument, & is on the East side of ten mile river, about half a mile Northerly from the turn of said River.

At the Distance of 28 miles as afors'd, in s'd line, we sett up a Stake & heaped up Some Stones round it for a monument, being on the East side of a Rocky hill in a valley between the Mountains, and we mark'd some trees on Each side of s'd Monument, in a nearly north 12 deg. 30 min. East Course.

At the distance of thirty miles as afors'd, in s'd line, we Sett up a Stake and heaped up Some Stones round it for a monut', on the west side of a mountain near ye top of said mountain, being about south east from the House of Yacob Von Campons and Derrick Duchteers, and marke'd Some Small Saplings on each side of said monument in a nearly north 12 deg. 30 min. E. Course.

At the Distance of thirty-three miles as aforesaid, in sa'd line, we sett up a Stake and heaped up some Stones round it for a monument on a plain piece of Land, being Distance in a South 77 deg. 30 min. East course from a pond of water in the said plain about 66 rods, and about the same distance from the foot of a Mountain which is to the Eastward of it.

At the Distance of thirty-five miles, we set up a Stake and heaped up some Stones round it for a Monument on said Line, being on the North End of a Ridge of Land near a Gully on a small piece of boggy meadow, being Easterly from Sackett's house, and marked two white oak trees, the one on an East 8 deg.

South Course, Distance 3 rods, and the other on a South Course, Distance five rods from the said Monument.

At the Distance of thirty-seven miles we Sett up a Stake and heaped up some stones round it for a Monument in the said line, being on the west side of a Gully in the hills, and Mark^d some trees on each side of said Monument in a Nearly North 12 deg. 30' E. Course.

At the Distance of Forty Miles we marked a white oak sapling & heaped up some Stones round it for a Monument, Standing on a high ridge of land, being 48 rods Easterly from a small boggy meadow.

At the Distance of Forty-two miles we sett up a Stake and heaped some stones round it for a monument in the said line, being on the west side of a dry swamp, and mark^d some trees on Each side of s^d monument in a Nearly North 12 deg. 30 min. East Course.

At the Distance of 44 miles we put up a Stake & heaped some stones round it for a monument in said line, being on the East side of a swamp and on the west side of a rocky hill, being about 20 rod from the foot of sa^d Hill, and marked some trees on Each side of said monument in a Nearly North 12 deg. 30 min. East Course.

At the Distance of 47 miles we sett up a Stake and heaped up some Stones round it for a Monument in the said line, being in the East side of a hill Westerly from the South End of Tuconick mountain, and are distant on a west 12 deg. 30 min. North Course sixty rods from the North branch of Ten mile river.

At the Distance of fifty Miles we marked an Iron-Wood tree with three Notches on the North and South side, and a chip off above and figures x, x, x, x, x, on the West side thereof, and put some Stones to the root of s^d tree Standing in the west side of a Spruce Swamp, being about 18 rods East from Taconick Road.

At the monuments that were fixed or sett up in the Eastern line of the Additionall lands, added out of the Colony of Connecticut to the Province of New York, Running paralell to the afors^d Nearly North 12 deg., 30 min. East line, and unto which reference is made as above mentioned, were fixed or set up Corisponding to each of the afors^d monuments fixed up in the western line as afors^d, Distance from the Same on a South 77 deg., 30 min. East Course, or at Right Angles to the afors^d Nearly north 12 deg., 30 min. East line, One mile three quarters and twenty rods, and were fixed and set up in the places following, Viz:

Corisponding to the monument fixed or set up at the two miles distance, we heaped up some stones for a monument on the west Side of a rocky hill, Near to a chessnut Oak tree marked with 3 Notches on the north and South Side.

The monument Corisponding to the monument at 4 miles Distance as aforesaid, is a Stake with a heap of Stones round it, about twenty rods and a half to the Eastward of Mopo Brook.

The Monum^t Corisponding to the monument at six miles distance as aforesaid, is a Stake with a heap of Stones round it, near the north end of a Swamp and by a foot path leading to Danbury.

The monument corisponding to the monument at eight miles distance as afores^d, is a Stake with a heap of Stones round it, in a hollow upon a high rocky hill.

The Monument Corisponding to the Monument at ten miles distance as afores^d, is a Stake with a heap of Stones round it, in a springy ground on the west side of a high hill.

The Monument Corisponding to the Monument at 12 Miles distance as afores^d, was set up at the end of two miles on a line running Nearly North 12 deg., 30 min. East, from the monum^t Corisponding to the monument at 10 miles distance, because we could not carry the perpendicular across the Great Swamp that was overflowed by Croton River, and we marked the trees in the said two miles with 3 Notches on the North and South Sides; this Monument is a heap of Stones round a Small white Oak tree.

The Monument Corisponding to the Monument at 14 miles Distance, is a Stake and heap of Stones, Standing on the North West Side of a hill.

The Monument Corisponding to the Monument at Sixteen miles Distance, is a Stake and heap of Stones on a high hill, there being two Small ponds to the South eastward of the Monument, the Nearest to which is about five rods to the Monument.

The Monument Corisponding to the monument at 18 miles Distance as afores^d, is a Stake and heap of Stones on a Ledge of Rocks, on the West Side of a hill.

The Monument Corisponding to the Monument at 20 miles Distance as afores^d, is a Stake and heap of Stones, in a wett piece of Ground in the west Side of a Steep Rocky hill.

The Monument Corisponding to y^e Monument at 22 Miles Distance, is a Stake and heap of stones on the East side of New Fairfield Hills.

Tke Monument Corisponding to the monument at 24 miles distance, is a stake and heap of stones on the North west Descent of

a hill, that is on the East Side of a brook that Issues from the pond before mentioned.

The Monument Corisponding to the monument at 26 miles distance, is a Stake and heap of stones on the west side of an high hill, and is thirty-five chains and forty-five links on the perpendicular line from the East side of the Ten Mile River.

The Monument Corisponding to the monument at 28 miles distance as afores^d, is a heap of stones on the east brow of a high hill, at which place we saw New Milford Town, Ousatanick river Running at the foot of said hill.

The Monument Corisponding to the Monument at 30 miles Distance as aforesaid, is a stake and heap of stones at the south end of a high hill.

The monument Corresponding to the Monument at 33 miles Distance, is a heap of Stones on the top of a hollow rock on the West Side of a hill.

The Monument Corisponding to the monument at 35 miles distance as afores^d is a heap of Stones on the top of a Rock on the west side of a hill.

The Monument Corisponding to the monument at 37 miles Distance as afores^d is a stake and a heap of Stones on the North side of a Ridge, and is sixty links North 31 degrees West from a Rock Lying there in the Ground.

The Monument Corisponding to the Monument at 40 miles distance is a stake and heap of stones at the west side of a swamp, and forty rods on the perpendicular line Easterly from the ten mile River.

The Monument Corisponding to the Monument at 42 miles distance is a stake and heap of stones on the brow of a steep bank, on the North side of the Ten mile river where it runs Easterly, and is likewise 21 rods on the perpendicular line East from the East side of s^d River.

The Monument Corisponding to the Monument at 44 miles Distance is a stake and heap of stones standing at the foot of a hill, and 12 rods from the East side of a Large pond.

The Monument Corisponding to the Monument at 47 miles distance is a stake and heap of stones in a low piece of ground lying south westerly of Taconick mountains and North Westerly from a Meadow, and is near the Waggon path from Woatange to Tacanick. We likewise marked some trees on each side of the before mentioned monuments, in a line running nearly north 12 deg, 30

min. East, when any trees stood on the said line near the said monuments.

In Witness Whereof, we have hereunto set our hands, at Dover, in Dutchess County, in the province of New York, this fourteenth day of May, in the fourth year of the Reigne of our Sovereign Lord, George the Second, by the Grace of God, of Great Britain, France and Ireland King, Defender of the Faith, &c., Annoq Domini, 1731.

SAML. EELLS,
ROGER WOLCOTT,
EDMUND LEWIS,
CADWALLADER COLDEN,
VINCENT MATHEWS,
G. WILLETT,
J. BRUYN, JUNR., Dep^y Sur^r.

No. 7. .

George the Second, by the Grace of God of Great Britain,
France and Ireland King, Defender of the Faith, &c.

To all to whom these presents shall come, Greeting :

Whereas, Before and until the Year one Thousand Six Hundred and Eighty three, the Extent, Bound and Limits of our Province of New York, on the part adjoining to our Colony of Connecticut, was altogether unsettled and uncertain, and in order for the settling, ascertaining and determining where the Bounds of the Said Province and Colony, with respect to one another should be, upon the three and twentieth Day of November, One thousand Six Hundred and Eighty three, certain Articles of Agreement were concluded between Thomas Dongan, then Governor of that, our said Province, and the Council of the said Province on the one Part, and Robert Treat, Esq., Governor of the Colony of Connecticut, Major Nathaniel Gold, Cap^t John Allen, Secretary, and M^r William Pitkin, in Commission with him from Connecticut on the other side, by which it was agreed, That the Bounds between the Said Province and Colony forever thereafter should begin at Lyons Point, at the Mouth of Byram River where it falleth into the Sound, and from there to go as the said River runneth to the Place where the Common Road or Wading Place over the Said River is, and from thence to run North North West into the country as far as would be Eight English Miles from the said

Lyons Point, and that a line of twelve miles being measured from said Lyons Point, according to the general course of the Sound Eastward, where the said twelve mile endeth, another line should be run from the Sound North North West Eight Miles into the country; and also a fourth Line should be run from the Northernmost End of the eight mile Line, being the third mentioned Line, which fourth Line, with the first mentioned line, should be the Bounds where they should fall or happen to run; and that from the Eastward End of the fourth mentioned Line, which was to be twelve miles in Length, a line parallel to Hudsons river, in every Place Twenty Miles distant from Hudsons river, should be the Bounds there between the said Province of New York and said Colony of Connecticut, so far as Connecticut Colony doth extend Northward, that is to the south line of the Massachusetts Bay Colony. And by the agreement aforesaid it is provided, That in case the Line from Byram Brook Mouth North North West eight miles, and the line that was then to run twelve miles, to the End of the third forementioned Line of eight miles, did diminish or take away Lands within Twenty Miles of Hudsons River; that then so much as was in land diminished of Twenty miles from Hudsons River thereby, should be added out of Connecticut Bounds unto the Line afore mentioned parallel to Hudsons River and twenty miles distant from it; the addition to be made the whole Length of said parallel Line; and in such Breadth as would make up Quantity for Quantity what should be diminished, as aforesaid. And by the same Agreement it was also declared: That if it should please the Kings Majesty to accept and confirm the Articles thereof, they should be good to all Intent and Purposes, and in full Force, Power and Virtue from the Day of the Date thereof; as by the said Articles of Agreement remaining in our Secretarys Office of our Province of New York, more fully and at large may appear.

And Whereas in pursuance of the aforesaid Agreement, an actual Survey was made in the Year one Thousand Six Hundred and Eighty-four, and thereby the first and fourth Lines before mentioned were run and ascertained, and Monuments made therein at Sundry Places for preserving the Memory thereof; And by that Survey it was found, That the first four Lines did diminish Sixty-one Thousand four Hundred and Forty Acres from the Twenty Miles upon Hudson's River, and therefore that three Hundred and five rods were to be added to the above said Twenty Miles from Hudson's River, to run at that additional Breadth Parallel to

Hudson's River, till it meet with the Massachusetts Line, which was deemed one Hundred Miles distant from the Eight Mile aforesaid; which Addition of three Hundred and five Rods was referred for its Confirmation to the Governour of the Said Province and Colony, and by a Report of the Commissioners and Surveyors, who made the Survey aforesaid, Signed with their Names, and bearing Date the Tenth Day of October, one Thousand six Hundred and Eighty-four, remaining in our Secretary's Office of our Province of New York, more fully and at large may appear.

And Whereas our Predecessor King William the third, of Glorious and Immortal Memory, on the Twenty-eighth Day of March, one Thousand Seven Hundred, was graciously pleased, with the Advice of his Privy Council, to approve and confirm the Said Agreement and Survey, as by the Royal Order thereupon to the respective Governments of New York and Connecticut, and that to New York remaining in our Secretary's Office of that our Province of New York, more fully and largely may appear.

And Whereas, not only the Line parallel to and at Twenty Miles Distance from Hudson's River, which, by the Agreement aforesaid, was declared to be the Bounds of the Said Province and Colony, remained without being ascertained and distinguished, but also our Province of New York remained without the Addition by the Agreement aforesaid stipulated to be yielded to the Province of New York, out of the Bounds of the Colony of Connecticut, and that without any further effectual steps taken to that Purpose, until the Year one Thousand seven Hundred and Seventeen, when an Act of general Assembly of New York was past, entitled An Act for paying and discharging several debts due from this Colony, &c., in which Act, among other Things, it is enacted, That the Sum of Seven Hundred and Fifty Ounces of Plate be issued as therein is directed, to defray that Part of the Charge of Running the Partition Line, Limit and Boundary, between the said Province and Colony, which would be requisite for the said Province to pay, when the Survey, ascertaining and running of the Said Line, Limit and Boundary shall be begun and carried on by the mutual Consent and Agreement of the Governour and Council of New York and the Governour and Council of the Colony of Connecticut; *Which Lines being run, ascertained and agreed on by the Surveyors and Commissioners of each Colony, as aforesaid, are by the said Act forever thereafter to be deemed, taken, be and remain as the Partition Line, Limit and Boundary of the Province of New York, and all Bodies corporate and Politick, and all other Persons whatso-*

ever, within the Province of New York, shall be forever concluded thereby as by the said Act more fully may appear.

And Whereas, after making the said Act, and in Pursuance thereof, Commissioners and Surveyors were, on the Twenty-eighth Day of October, in the Year one Thousand seven Hundred and eighteen, appointed by the then Governour of the Province of New York, with the Approbation of the Council of the said Province, in behalf of the said Province, to Concert Measures and Methods with the Commissioners of the Colony of Connecticut, to facilitate the Running of the Division Line aforesaid. But tho Sundry Meetings were had pursuant to the said Commission, yet no further Agreement was by them made, nor any part of the said Line, Limit and Boundary was by them further ascertained; by reason whereof, not only the said Line parallel to and at Twenty miles distance from Hudson's River, which, by the Agreement aforesaid, was declared to be the Bounds between the said Province and Colony, remained without being ascertained and distinguished, but also the said Colony of Connecticut still held the Addition aforesaid, of Sixty-one Thousand four Hundred and forty Acres, by the Agreement aforesaid stipulated to be yielded to the Province of New York out of the Bounds of the Colony of Connecticut, as aforesaid. And whereas it was found that the said Colony of Connecticut delayed and avoided the Agreeing upon and Running the said Line of Partition, and the yielding up of the said Addition by mutual consent, therefore, by an Act of the General Assembly of New York, past in the Year one Thousand Seven Hundred and nineteen, entitled An Act for Running and Ascertaining the Line of Partition and Division between this Colony and the Colony of Connecticut, it is among other things enacted, That the Governour of the Province of New York for the time being do, by Commission under the great Seal of that Province, empower two or more such Persons as to the said Governour, with the advice of the Council of that Province, shall seem most convenient and fit, in the conjunction with the Surveyor General of this Province, or his Deputy, approved by the Governour, with the Advice and consent of the Council, to run, mark out, distinguish and ascertain the Line of Partition and Division between that Province and the Colony of Connecticut, according to the Agreement aforementioned, which were approved and allowed by the late King William, and in no other manner than it was agreed and approved of as aforesaid. And the said Lines, when run and

the Places distinguished through which they should pass, are by the said Act declared and enacted, To be the Lines of Partition and Division between the Said Province and Colony of Connecticut. And it being the Design, Intention and earnest Desire of the Legislature of the Said Province, That the Said Lines be not only run truly and fairly, but amicably and in Conjunction with the Commissioners and Surveyors to be legally and Sufficiently impowered by the Government of Connecticut, if that Government should so think fit, It was by the said Act therefore enacted, That nine months Notice be given to the Government of Connecticut before the beginning of the said work, in order that the same Government might join therein if they should think fit. And in case the Government of Connecticut should not so think fit, then it was declared lawful for the Persons appointed in behalf of the said Province, To run and ascertain the said Lines, Which Act was not to be in force until the Royal Assent was had thereto, as by the said Act more fully may appear.

And Whereas, on the Twenty-third Day of January, one Thousand Seven Hundred and Twenty-three, our late Royal Father, of ever Glorious Memory, was pleased to Allow and approve of the said Act, as by his order, thereupon remaining in the Secretary's Office of our said Province, may appear.

And Whereas, by Virtue of the Power lodged in the Governour and Council of New York by the said several Acts, upon the third Day of April, in the Year one Thousand Seven Hundred and Twenty-five, a Commission did issue appointing Persons for the running and ascertaining of the said Lines on behalf of the said Province, Which Persons met with the Commissioners and Surveyors appointed in behalf of the said Colony of Connecticut, who, upon the Twenty-ninth Day of the same month of April, one Thousand seven Hundred and Twenty-five, agreed amicably to proceed to the running and ascertaining of the said Lines, and by Articles of Agreement under their Hands and Seals of that Date, did settle and agree upon the Method to be taken for Running the said Lines, and upon all Matters that had been in Variance, and which had before obstructed the Running of the said Lines, as by the same Articles of Agreement approved of by the Governour and Council of the said Province, upon the Twentieth Day of May, one Thousand seven Hundred and Twenty-five, and remaining in the Secretary's Office of the said Province, fully and at large may appear,

And Whereas, pursuant to the Several Articles of Agreement herein before recited, the said Commissioners and Surveyors of both Colonies, in Mutual Conjunction, proceeded to the settling, Marking out and Distinguishing the said Lines, and did actually run, mark out and distinguish some Parts thereof, as by a Report under the Hands and Seals of the Said Commissioners and Surveyors of both Colonies, bearing date the twelfth Day of May, one Thousand seven Hundred and Twenty-five, remaining in our Secretary's Office of our said Province, fully and at large may appear.

And Whereas, by means of several meetings of the Commissioners and Surveyors of our said Province as aforesaid, and the running and distinguishing so far of the said Division Lines as by the said Report is set forth, the monies ordered to be issued by the Act first above recited were expended, wherefore, for want of a further Supply of Monies for that Purpose, the said Line, parallel to and at Twenty Distance from Hudson's River, remained without being ascertained and distinguished, and the said Province still wanted the Addition aforesaid, which was stipulated to be yielded thereto out of the Bounds of Connecticut, And Whereas, our loving subjects, Thomas Hawley, Nathan St. John, Samuel Smith, Benjamin Benedict, Richard Olmsted, Thomas Smith, Ebenezer Smith, Daniel Sherwood, Benjamin Burt, Thomas Hyat, Benjamin Wilson, Joseph Lee, Joseph Keeler, James Benedict, Richard Osburn, Samuel Smith, Daniel Olmsted, Timothy Keeler, Jonah Keeler, Mathew Seymour, Joseph Northrup, James Brown, Adam Ireland, John Thomas and Benjamin Birdsell, by their humble Petition, presented in our Council of our said Province to our trusty and well-beloved John Montgomery, Esq., our Cap^t General and Governour-in-Chief of our said Province, upon the third Day of September, in the Year one Thousand Seven Hundred and Thirty, did set forth That many of the Petitioners have for a long Time been settled upon certain Lands near the Eastern Parts of this Province, by Letters Patents from the Colony of Connecticut, as by the said Letters Patents, ready to be produced, might appear: That of late, contrary to the Expectation of the Petitioners, a great Part of the Lands so patented being supposed to have lain within the Colony of Connecticut, are now thought to be within that Part of the Province of New York commonly called the Equivalent Lands (Thereby meaning the Addition aforesaid): That the Petitioners, or their Ancestors, have many of them spent their whole Substance and worn out great Parts of their Lives in clearing, tilling and improving, with great Hazard

and hard Labour, the aforesaid Lands, having supposed that they had an indefeasible Title to the Same by Virtue of their Title under the Colony of Connecticut as aforesaid: That the Petitioners, the Inhabitants of Ridgefield, in the Late Agreement between the Commissioners of both Colonies, are taken Notice of as Persons under very particular Circumstances of Hardship by being disappointed with respect to their Situation of their Lands, and are mentioned and declared therein To be such as might hope for the Royal Favor in granting to them their improved Lands, as by the said Article of Agreement, dated at Greenwich, in the Colony of Connecticut, on the Twenty-ninth Day of April, in the eleventh Year of the Reign of Our Royal Father, King George the first, and approved of and confirmed by the Governour and Council of the Province, and on Record in the Secretary's Office of both Colonies, might appear and is expressed in these Words, namely: "And whereas several poor English families have laid out their whole substance and Spent their Youth in clearing, tilling & improving Lands with great Hazard and hard Labour, and which is supposed may lye near the parallel Lines, at Twenty Miles Distance from Hudson's River, And whereas, if the improved Land of the said poor People should fall within the Equivalent of Sixty-one Thousand four Hundred and forty Acres, to be added out of the Bounds of Connecticut, the said poor Families might hope for His Majesty's Favour in granting them the said improved Lands in such manner as Lands are usually granted within the Province of New York, That the Petitioners, together with their associates, are very numerous, and many of them have large Families of Children, and believe they shall be able very speedily, by themselves and Children, to cultivate and improve all the profitable Part of the Tract of Land aforementioned, and to make a very considerable Settlement on the Borders of that Province on that side, if the same be granted to them, That being poor men, and unable to purchase Lands in Settled Places, they have very little Expectation of Raising and Relieving of their Families, but what is founded on the hopes of our Favor in a Grant of the said Lands, and that many of them, without our Favour therein, were utterly ruined and undone, That the Petitioners being informed, That the great Charge which will necessarily attend the Ascertaining of the Partition Lines of the said Equivalent Lands, has been the chief Reason why the same has not hitherto been done; Notwithstanding that the said Province has been deprived of the Assistance which the said Inhabitants might give by the Taxes and other publick Services in supporting the Government of the said Pro-

vince, and which they have hitherto paid to the Government of Connecticut; That the Petitioners of the Town of Ridgefield had associated themselves with several of the Inhabitants of this Province, in order to enable them to defray the Charges of ascertaining the said Lines, which the Petitioners are willing to do, provided Fifty Thousand Acres of the Said Equivalent Lands may be granted them in Fee, or so much of the said Fifty Thousand Acres as shall be found convenient for the said Petitioners under such Rents, &c., as are conformable to our Royal Commission and Instructions to Our Said Governour; And therefore prayed our Grant under the great Seal of Our said Province for the said Fifty Thousand Acres in Fee, in such manner and under such Terms as have been accustomed, and that such Orders and Directions may be made therein as may be conducive to the Purposes aforesaid, Which Petition being then and there read and considered of, Our Council of our said Province did advise Our said Governour, and consent that the Prayer of the said Petition be Granted.

And thereupon, by Virtue of the Powers lodged in our Governour and Council of our Province of New York as aforesaid, Commissioners and Surveyors were appointed and commissioned, in behalf of that our Province, on the Day last aforesaid, for running and ascertaining the Lines aforesaid, pursuant to the Agreement aforesaid for that Purpose made. And whereas the Legislature of the colony of Connecticut, by an Act of their Body, bearing Date the eighth Day of October, one Thousand seven Hundred and Thirty, did Ratify and Confirm the Agreement, before mentioned to have been made on the Twenty-ninth Day of April, one Thousand seven Hundred and Twenty-five, and the Report aforesaid, of what had been done pursuant thereunto, dated the twelfth Day of May, one Thousand seven Hundred and Twenty-five, & by the Same Act did constitute and appoint Commissioners and Surveyors to run and ascertain the Lines aforesaid, and to do all things incumbent on that Colony to be done concerning that matter, as by authentick copy of the said Act delivered by the Commissioners and Surveyors for Connecticut, to the Commissioners and Surveyors for New York, and by them delivered, with the Indenture herein after mentioned, and remaining in our Secretary's Office of New York, more fully and at large may appear.

And Whereas, the Commissioners and Surveyors of the said Province and Colony by Indentures under their Hands and Seals, bearing Date the fourteenth Day of May in the fourth Year of our Reign, Annoq. Domini, one Thousand seven Hundred and Thirty-one, it is witnessed: That they had run, marked out and distin-

guished by Monuments the Line aforesaid, parallell to, and at Twenty Miles Distance from Hudsons River ; That they found the Breadth of the Additional Lands aforesaid to be five Hundred and Eighty Rods, which they also set off, markt and distinguished by Monuments, out of the Bounds of the Colony of Connecticut, And the Commissioners of the Colony of Connecticut, on behalf of the Colony and Corporation of Connecticut, by the same Indentures did Yield, Surrender and deliver up to the Commissioners of the Province of New York aforesaid, in behalf of New York, all the said additional Lands (the same in the actual Possession of the Corporation then being) bounded, markt and distinguished by monuments as in the Said Indentures, is at length set forth for the Use of Us, Our Heirs and Successors, in as full and ample manner as the Same ought to be done by the Agreement above mentioned, And by the Same Indentures the Said Commissioners *did fix and establish the Bounds of said Province and Colony to be at the several Monuments erected by them on the East Side of the Said Additional Lands, as by our Part of the Same Indentures, together with an Instrment therein referred to, particularly describing the Places of the Monuments erected in the Said Lines,* delivered to our Governor and Council of our Province of New York, on the third Day of June instant, and there read and ordered to be entered of Record and preserved in the Secretary's Office, Relation being thereunto had more fully and at large may appear.

[Here follows, and is inserted in the instrument, the grant of the Oblong to divers individuals, bounding the grants by the East line of the Oblong as then established. See Book 69, Colonial Records, page 86.]

And the instrument closes as follows :

In Testimony whereof, We have caused these our Letters to be made Patent and the Great Seal of our Province of New York to be hereunto affixed, and the Same to be entered of Record in our said Secretarys Office, in our City of New York, in one of the Books of Patents there remaining.

Witness our trusty and well beloved John Montgomery, Esq., Capt. General and Governor in Chief of our said Province of New York, of our Province of New Jersey, and all the Territories and Tracts of land depending on them in America, and Vice Admiral of the Same, &c., at Fort George in the City of New York, the eighth Day of June in the fourth Year of our Reign, Annoq. Domini, One Thousand seven Hundred and Thirty one.

CLARKE.

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To accompany the report of the New-York Commissioners,
JANUARY 1860. N. Y. 1860.

H. S. DEWEY, Engineer.





